

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.56826 of 2017**

Arising Out of PS.Case No. -22 Year- 2011 Thana -JAGDISHPUR District- BHAGALPUR

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1. Sikandra Mandal, Son of Panchanan Mandal, resident of Village-  
Chamma Chak, P.S. Jagdishpur (Goradih), District- Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Smt. Anusuiya Jaiswal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**

ORAL ORDER

2      01-12-2017                      Heard learned counsel for the petitioner and leaned  
  
Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection  
with Jagdishpur (Goradih) P.S. Case No. 22 of 2011 registered for  
offences punishable under Sections 328, 302 and 34 of the Indian  
Penal Code.

The prosecution case is that daughter of the informant  
was married to Kashi Mandal. The daughter of informant had told  
that about six months back her husband and two villagers namely,  
Sikandar Mandal and Navin Mandal attempted to give her liquor  
to drink. It is also alleged that prior to the occurrence Navin  
Mandal had tried to commit illegal act with daughter of informant.  
It is further alleged that on the date of occurrence, co-accused



Navin Mandal and Sikandar Mandal assaulted the daughter of the informant and gave some poisonous substance and ultimately on the way to treatment she died.

From the written report itself, it is apparent that there is no any specific allegation of overt act against this petitioner. It is mentioned in paragraph-3 of the petition that the petitioner has no criminal antecedent.

Learned Additional Public Prosecutor opposes the prayer of bail.

Under the facts and circumstances the prayer of Anticipatory bail of petitioner is allowed and in the event of his arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Jagdishpur (Goradih) P.S.Case No. 22 of 2011 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the Court and absence on two consecutive dates without proper and reasonable



reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Sanjay Priya, J)**

Sudha/-

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