

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.11 of 2018

Arising Out of PS.Case No. -34 Year- 2017 Thana -BARIYARPUR District- MUNGER

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1. Fokal Mandal, Son of Late Mahadeo Mandal, Resident of Village-
Ghorghat, P.S.- Bariyarpur, District- Munger.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajit Kumar Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-02-2018 Earlier prayer for pre arrest bail of the appellant was disposed of vide order dated 09.11.2017, passed in Cr. App. (SJ) No. 3097 of 2017 with direction to the court below/Special Court to verify the submission as made by learned counsel for the appellant in that particular order and if it is found true that except general and omnibus allegation, there is nothing against the appellant, he shall pass an appropriate order.

Submission of learned counsel for the appellant that only general and omnibus allegation has been levelled against him and so far allegation of assault by rod to the deceased is concerned, the same is not specific and except one witness, none has stated so. Further he has been in judicial custody since 10.07.2017.

Heard learned Special P.P. also.

Having heard both sides, in view of the above facts and circumstances, this appeal is allowed. Let the appellant above



named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge –I-cum-Special Judge, (SC/ST), Act, Munger, in connection with Bariyarpur P.S. Case No. 34 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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