

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51469 of 2018

Arising Out of PS.Case No. -69 Year- 2013 Thana -SABAUR District- BHAGALPUR

1. Taira Mandal, Son of Sri Paro Mandal, Resident of Village - Mamalkha, P.S. - Sabour, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh

For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 31-10-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

According to First Information Report, the informant is eyewitness of the occurrence and the petitioner is the main assailant of his son. The petitioner is in custody since 02.09.2016.

Earlier this Court had refused prayer for bail on 11.04.2018 in Cr. Misc. No. 9866 of 2018 with liberty to renew the prayer after examination of the informant or after completion of six months of custody.

Learned counsel for the petitioner submits that



five prosecution witnesses have been examined up-till-now including the informant and their depositions are enclosed as Annexure 3 to 5. The informant is specific in her evidence before the court that the petitioner was not present at the time of occurrence. No other witness has supported that the petitioner was assailant.

Considering the facts of this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 280 of 2017 arising out of Sabour Police Station Case No. 69 of 2013, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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