

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19006 of 2018

Arising Out of PS.Case No. -194 Year- 2017 Thana -NAYA RAM NAGAR District- MUNGER

=====

Dayanand Mandal, S/o Late Uchit Mandal, R/o Village- Ramdhan Mandal
Tola, P.S.- Naya Ram Nagar, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey, Advocate.

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-05-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Naya Ram Nagar P.S. Case No. 194 of 2017** instituted for the offence under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that petitioner has no criminal antecedent. There is no eye witness to the occurrence. Petitioner has been made accused in this case on account of enmity with family of the deceased as mentioned in the First Information Report itself and due to such enmity the name of this petitioner has been taken by the informant.

In the written report there is allegation that when informant reached near the house of Babulal Mandal, he found his



wife lying dead with pool of blood. The informant saw 8-9 persons standing there. Out of them, some one had fired. He heard the sound of firing. After firing the accused persons fled away.

In this manner, from the written report itself mere suspicion has been raised against this petitioner. The petitioner is ex-army personnel.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Naya Ram Nagar P.S. Case No. 194 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-I, Munger**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers 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)

S.Ali/-

U		T	
---	--	---	--

