

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42253 of 2018

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1. Satya Narain Mandal, Son of Late Raghunath Mandal,
2. Dhaneshwar Mandal, Son of Satya Narayan Mandal, Both are resident of
Village- Tarha, P.S.- Singeshwar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-08-2018 Learned counsel for the petitioners seeks permission to
withdraw the application with respect to petitioner no.1 (Satya
Narain Mandal) since he has been arrested.

In such a situation, the application against the petitioner no.1
is dismissed as withdrawn as it has become infructuous.

Heard the parties.

The petitioner No.2 (Dhaneshwar Mandal) is apprehending
his arrest in connection with Singeshwar P.S.Case nO.47 of 2018 ,
registered for offences punishable under Sections 302, 120B/34 of
the Indian Penal Code.

Allegation against the petitioner no.2 as per FIR is that dead
body of the father of the informant was found lying near the bank
of river and the petitioner has been made accused in this case.

Submission of the learned counsel for the petitioner no.2 is
that he has been made accused only on the basis of suspicion and
no substances has come against the petitioner no.2 except that



dispute between the parties is from before.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner no.2 (Dhaneshwar Mandal), above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura in connection with Singheshwar P.S. Case No.47 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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