

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66393 of 2018

Arising Out of PS. Case No.-189 Year-2016 Thana- SABAUR District- Bhagalpur

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Bhikhru Mandal @ Bhikharu Mandal @ Mikaru Mandal Son of Chandan Mandal @ Chandradeo Mandal Resident of Village-Pannuchak,P.S. Ghogha,Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Sabour P.S. Case No. 189 of 2016** registered for the offence punishable under Sections 147, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Informant in his written complaint has stated that on 13.11.2016 at about 5:00 pm when the Informant was returning with his Buffalo, then petitioner along with FIR named accused came and assaulted the Informant. Co accused Tibwa Mandal opened fire in his abdomen and left hand.

It has been submitted on behalf of the petitioner that there is no allegation of any specific overt act against the petitioner. There is general and omnibus allegation against the



petitioner. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 10.03.2017 in Criminal Miscellaneous No. 5238 of 2017. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-X, Bhagalpur** in connection with **Sabour P.S. Case No. 189 of 2016** , with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the 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.

(S. Kumar, J)

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