

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50649 of 2018

Arising Out of PS.Case No. -49 Year- 2016 Thana -DHARHARA District- MUNGER

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1. Sweety Mandal son of Pankaj @ Shashi Bhushan Gupta resident of Village/ Mohalla - Keshopur, Police Station - Jamalpur, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-08-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Dharhara P.S.Case No. 49 of 2016, registered for offences punishable under Sections 302, 120B/34 of the Indian Penal Code and 27 of the Arms Act.

As per F.I.R., allegation against the petitioner is that the son of the petitioner always gave threat to kill the son of the informant and ultimately the son of the informant has been killed.

Submission of the learned counsel for the petitioner is that the petitioner has got no concern with the said occurrence and the name of the petitioner transpired only on the basis of confessional statement of other co-accused person It is also submitted that the petitioner has been acquitted in two other cases



except the present case and similarly situated co-accused persons have been granted privilege of bail vide order dated 01.03.2017, 25.04.2017 and 08.09.2017 passed in Cr. Misc. Nos. 2727 of 2017, Cr. Misc. No. 15034 of 2017 and Cr. Misc. No. 41292 of 2017.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named on surrender or arrest within six weeks 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 learned Additional Chief Judicial Magistrate-1, Munger in connection with Dharhara P.S.Case No. 49 of 2016, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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