

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54288 of 2017

Arising Out of PS.Case No. -89 Year- 2017 Thana -KAHALGAON District- BHAGALPUR

=====

1. Mukesh Kumar @ Mukesh Kumar Mandal @ Mukesh Mandal, Son of Arjun Mandal, resident of Village- Pannuchak, P.S. Kahalgaon (Ghogha), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 03-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Kahalgaon (Ghogha) P.S. Case No.89 of 2017, a case under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

According to F.I.R. three named persons had taken the deceased along with them. Thereafter dead body of the deceased was found. Petitioner is not amongst them. During investigation some witnesses stated that two groups had scuffled against each other and fired on each other. Murder was committed in both sides. The petitioner was holding the hand of one of the deceased, who was allegedly killed by Chhathu Mandal. Chhathu



Mandal also died at the hands of the opponent.

Submission is that the petitioner has got no criminal antecedent and is in custody since 06.06.2017. Moreover, the belated statement of the witnesses before the police is not acceptable at this stage for the reason that if anyone would have seen the occurrence the same must be disclosed in the F.I.R.

Learned counsel for the State opposed the prayer for bail on the basis of aforesaid material coming during investigation.

Considering the entire facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with 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.

(Birendra Kumar, J)

Mkr./-

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

