

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39286 of 2018

Arising Out of PS.Case No. -153 Year- 2016 Thana -KASIMBAZAR District- MUNGER

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Manjeet Mandal @ Manjeet Kumar Mandal S/o Late Ashoki Mandal @
Ashok Mandal, R/o Mohalla- Shashtri Nagar, P.S.- Kasim Bazar, District-
Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner had earlier moved for bail which was
rejected vide order dated 24.07.2017 passed in Cr. Misc. No.
26044 of 2017.

Petitioner is languishing in judicial custody since
22.12.2016 in connection with Sessions Trial No. 244 of 2017
arising out of Kasim Bazar P.S. Case No. 153 of 2016 for offences
punishable under Sections 302/34, 120(B) of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that about 19-20 persons came in 10 motorcycles and fired on the



informant's son Suraj Sah @ Jharkahwa on which he succumbed.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that in fact the deceased was a veteran criminal and as many as 22 cases were pending against him and due to personal enmity and rivalry between the criminals was the result of his death. He submits that some of the co-accused have already been granted the privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 27718 of 2018, Cr. Misc. No. 20006 of 2018, Cr. Misc. No. 32349 of 2018 and Cr. Misc. No. 32305 of 2018. He submits that the allegation is not specific and the injury on the vital part is not specifically attributable to the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on 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 District and Sessions Judge-V-cum Special Judge, Excise, Munger in connection with Sessions Trial No. 244 of 2017 arising out of Kasim Bazar P.S. Case No. 153 of 2016, subject to the conditions that:



- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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