

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76149 of 2018

Arising Out of PS. Case No.-226 Year-2017 Thana- SURSAND District- Sitamarhi

Bechan Mandal son of Lattu Mandal, resident of Village- Birakh, P.S.
Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Sri Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-12-2018 Heard learned counsel for the parties.

Earlier bail petition of the petitioner was rejected vide order dated 05.04.2018 passed in Criminal Miscellaneous No. 11587 of 2018.

Petitioner seeks bail in **Sursand P.S. Case No. 226 of 2017** registered for the offence punishable under Sections 341, 323, 325, 307, 354, 379/34 of the Indian Penal Code.

Informant in his written complaint has alleged that on 26.08.2017 at about 7:00 pm petitioner along with FIR named accused on the issue of drainage assaulted his mother on her head by means of Iron Rod and other co-accused persons assaulted his father and sister.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to



land dispute. It has been further submitted that the parties are next door neighbours and close relative. Petitioner has got no criminal antecedent and is in custody since 14.09.2018.

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 **Judicial Magistrate, Pupri at Sitamarhi**, in connection with **Sursand P.S. Case No. 226 of 2017**, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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