

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2505 of 2018

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1. Bhriugu Nath Mandal @ Bhirgu Nath Mandal Son of Basudeo Mandal
Resident of Village : Jawayat, P.S. Kharagpur, District : Munger.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rekha Prasad, Advocate

For the Respondent/s : Smt. Usha Kumari No. I (Special P.P.)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-09-2018 Earlier the appeal of appellant with regard to grant of bail was rejected by this Court vide order dated 08.08.2017 passed in Criminal Appeal (SJ) No. 922 of 2017 in connection with SC/ST P.S. Case No. 19 of 2016 for the alleged offences under Section 302 of the Indian Penal Code and Section 3(1)(X), 3(2)(V) of SC/ST (Prevention of Atrocities Act) and the allegation against the appellant that he assaulted the son of informant with Khanti and stones and other accused persons also assaulted him, resulting his death.

Submission of learned counsel for the appellant that other co-accused of this Case Pankaj Yadav has already been enlarged on bail by this Court vide order dated 31.07.2017 passed in Criminal Appeal (SJ) No. 855 of 2017 and another co-accused, namely, Abhimannue Gupta has also been enlarged on bail by a



coordinate Bench of this Court vide order dated 19.12.2017 passed in Criminal Appeal (SJ) No. 3028 of 2017 and appellant has been in judicial custody since 30.08.2016.

Heard learned Special P.P. also.

Having heard both sides, in view of the above facts as well as in view of the fact that other co-accused of this case has already been enlarged on bail, as such, this appeal is allowed, let the appellant above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge – cum-Special Judge, SC/ST Act. Munger, in connection with SC/ST P.S. Case No. 19 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event



of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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