

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27507 of 2018

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

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Rajesh Mandal, Son of Chhathu Mandal, Resident of Village-Mira Chak,
P.S. Zeromile, District-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 18-05-2018 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application the petitioner seeks bail in connection with Parbatta P.S. Case No. 89 of 2017/ G.R. No. 1304 of 2017 for the offences punishable under sections 302 and 201/34 of the Indian Penal Code.

Allegedly, a dead body was found by the police by the side of road. Later it was found that the deceased was driver of the pick-up van which was looted and the driver was killed. The police recovered the looted pick-up van from the house of Bihari Mandal. His wife Kiran Devi disclosed that Akshay Mandal has brought the vehicle there and that Akshay Mandal disclosed the name of the petitioner as one of his associates.

Submission is of false implication and that only



material against the petitioner is disclosure made by the co-accused and except that there is no other material against him and he has no criminal antecedent, co-accused Mithun Mandal and Hare Ram Mandal, having similar allegations, have already been allowed bail vide Cr. Misc. Nos.1967 of 2018 and 24337 of 2018 by another co-ordinate benches of this Court and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. fairly submits that similarly situated other co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner above named, is directed to 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 A.C.J.M-III, Naugachiya, Bhagalpur in connection with the aforementioned case, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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