

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2323 of 2019**

Arising Out of PS. Case No.-189 Year-2016 Thana- SABAUR District- Bhagalpur

Kamleshwari Mandal Late Ravi Mandal Resident of village-Punnuchak, P.S.  
Ghogha, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Navjot Yesu

For the Opposite Party/s : Mr.Ram Sumiran Rai

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      18-01-2019      Heard learned counsel for the parties.

Petitioner seeks bail in **Sabaur P.S. Case No. 189 of 2016** registered for the offence punishable under Sections 147, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant has alleged that when he was grazing his buffalo in the field, petitioner along with other co-accused surrounded him and asked him as to why he came here to graze his buffalo and thereafter abused him and co-accused Tibba Mandal fired upon him which hit in his abdomen and left hand.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to village politics. There is general allegation of abuse against the petitioner. Similarly, situated co-accused person has been



granted bail by this Court vide order dated 20.11.2018 in Criminal Miscellaneous No. 66393 of 2018. He is in custody since 29.05.2018.

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 Chief **7th Additional District and Sessions Judge, Bhagalpur**, in connection with **Sabaur P.S. Case No. 189 of 2016**, 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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