

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.145 of 2019

Arising Out of PS. Case No.-619 Year-2018 Thana- KAHALGAON District- Bhagalpur

Niranjan Mandal, aged about 31 years (Male), Son of Chama Mandal @ Chamalal Mandal, Resident of Village- Shahpur, P.S. Ghogha Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr.Md. Sufiyan (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 01-02-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Kahalgaon (Ghogha) P.S. Case No. 619 of 2018 registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that while his son was going on cycle with his friend Karan Kumar, petitioner along with FIR named accused persons fired upon him causing injury in his temporal region.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case because of land dispute between the parties. It has been further submitted that the statement of friend of victim was recorded by the police who was



accompanying the injured on his cycle has stated that he could not recognize any of the culprits who fired upon Jainanadan Kumar. It has been further submitted that petitioner has no criminal antecedent and nature of injury is also simple and he is in custody since 05.10.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon (Ghogha) P.S. Case No. 619 of 2018, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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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