

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7920 of 2019

Arising Out of PS. Case No.-35 Year-2018 Thana- ISMAILPUR District- Bhagalpur

BINOD MANDAL Late Ramdev Mandal Resident of village-Chhoti Parbatta,
P.S.-Ismailpur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 15-02-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Ismailpur P.S. Case No. 35 of 2018 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 504,506, 307 of the Indian Penal Code and 27 of Arms Act.

Informant has alleged that on 11.08.2018 at about 10 hours, he was constructing hut on the land of his brother Maheshwar Mandal, in the meantime, petitioner and other co-accused persons came there and started abusing and obstructed to construct the hut and thereafter Subodh Mandal fired from his three nut upon his back and another firing missed him and he fell down on the ground. Co-accused Sukhi Mandal and Girdhari Mandal fired indiscriminately upon him



and fled away. Other accused also assaulted his family by lathi and bricks. Thereafter he was taken to the Hospital for treatment.

It has been submitted on behalf of the petitioner that Petitioner is innocent and has been falsely implicated in this case. There is general and omnibus allegation against petitioner. It has been further submitted that other co-accused, namely, Bhakul Kumar, Balmukund Mandal and Sukho Mandal have been granted bail by a co-ordinate Bench of this Court vide order dated 06.12.2018 passed in Cr. Misc. No. 69780 of 2018, order dated 18.12.2018 passed in Cr. Misc. No. 69864 of 2018 and order dated 11.01.2019 passed in Cr. Misc. No. 78338 of 2018. Petitioner has no criminal antecedent and he is in custody since 15.10.2018

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Session Judge, Nawgachia, Bhagalpur, in connection with Ismailpur P.S. Case No. 35 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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