

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31589 of 2019

Arising Out of PS. Case No.-232 Year-2017 Thana- BHARGAMA District- Araria

DEO NARAYAN MANDAL @ DEV NARAYAN MANDAL Son of Late
Baidya Nath Mandal Resident of Village - Paikpar Sonapur ward No.03, P.S.-
Bhargama, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-06-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Bhargama P.S. Case No.
232/2017, instituted for offences under Sections 341, 323, 324,
427, 354B, 325, 307, 379, 504 and 506/34 of the Indian Penal
Code.

Earlier prayer for bail of petitioner was twice rejected
by this Court vide Cr. Misc. Nos. 58457/2018 dated 26.10.2018
and 75640/2018 dated 19.12.2018 with liberty to renew the
prayer for bail after six months if no substantial progress is
made in the case.

Learned counsel for the petitioner has submitted that
there is case and counter case between the parties. For the



occurrence of same day, brother of petitioner has lodged Bhargama P.S. Case No. 233/2017.

Report from the court below regarding stage of trial has been received, wherein it is mentioned that case is fixed for charge on 30.05.2019.

From the report of court below it appears that not a single witness has been examined till date.

In the instant case, there is allegation against this petitioner of assaulting the sister-in-law of informant on head with *Farsa*.

There is case and counter case between the parties. The injury has been sustained by the other side also.

Petitioner is in custody since 28.06.2018.

Keeping in view the period of custody spent by petitioner and no any substantive progress having been made in the trial, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria in connection with Trial No. 5384/2019, arising out of Bhargama P.S. Case No. 232/2017, subject to the conditions that

(I) both the bailors shall be the close relative of



the petitioner.

(II) Petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and

(III) if petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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