

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36738 of 2019

Arising Out of PS. Case No.-86 Year-2018 Thana- SHAMBHUGANJ District- Banka

SACHCHO MANDAL @ SACHCHIDA NAND MANDAL @ SACHHO
MANDAL @ SACHIDANAND MANDAL @ SACHCHO Son of Late
Sajjan Mandal Resident of Village - Bhitti, P.S.- Shambhuganj, District -
Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ambrish Kumar Jha

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-06-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
30.12.2018 in connection with Shambhuganj P.S. Case No. 86
of 2018, G.R. No. 1410 of 2018 for offences punishable under
Sections 323, 341, 354, 379, 504, 506, 302 and 34 of the Indian
Penal Code.

The prosecution case as lodged by the informant is
that while her husband had gone for natural call, the petitioner
and other co-accused altogether 7 persons assaulted the
informant's husband by means of lathi and danda on which he



became seriously injured.

The petitioner was earlier granted bail but subsequently when the informant's husband died, charge-sheet has been submitted under Section 302 I.P.C. and as such bail bond of the petitioner has been cancelled.

Learned counsel for the petitioner submits that the petitioner has not misused the privilege of bail and once bail has been granted there is no reason to cancel the bail bond unless there is allegation of misuse of privilege of bail by the petitioner. He submits that two of the co-accused in similar circumstances have been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 5907 of 2019 by order dated 04.02.2019.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the fact that the petitioner does bear any criminal antecedent and earlier the petitioner was granted the privilege of bail, there being no misuse of privilege of bail, let the petitioner above named be enlarged 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



Sub Divisional Judicial Magistrate, Banka in connection with
Shambhuganj P.S. Case No. 86 of 2018 (G.R. No. 1410 of
2018).

(Nilu Agrawal, J)

devendra/-

U		T	
---	--	---	--

