

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54970 of 2019

Arising Out of PS. Case No.-215 Year-2018 Thana- ALAMNAGAR District- Madhepura

Manish Mandal @ Manish Kumar Mandal Son of Late Raghunandan Mandal
Resident of Village - Kapsiya, P.S.- Alamnagar (Ratwara), District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 15.11.2018 in a case registered for the offences punishable under Sections 341, 323, 384, 386, 387/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that for non-fulfillment of the extortion demand of Rs.50,000/- he resorted to fire, however, no injury was caused to anyone.

It is submitted by learned counsel for the petitioner that maliciously accusation has been levelled against the petitioner and even assuming the accusation to be true, no offence under Section 384, 386 or 387 I.P.C. is made out against the petitioner.

Learned APP after going through the case diary



submits that the petitioner is accused in five other cases.

Though, statement to that effect has been made in paragraph 3 of the petition but it is only mentioned that petitioner is on bail in three cases but no statement has been made with regard to other two cases, i.e., Chousa P.S. Case No. 259 of 2018 and Puraini P.S. Case No. 169 of 2018, but it is submitted by learned counsel for the petitioner that the petitioner is on bail in those two cases also.

Considering the nature of accusation and the fact that no injury has been caused to anyone coupled with the period under custody, let the above named petitioner 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 learned Additional Sessions Judge-IIIrd, Madhepura in connection with Sessions Trial No. 33 of 2019, arising out of Alamnagar (Ratwara O.P.) P.S. Case No. 215 of 2018.

The learned trial Court will positively cancel the bail bonds of the petitioner, if the petitioner defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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