

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58485 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- SULTANGANJ District- Bhagalpur

Ashok Mandal, aged about 35 years, Male, son of Gore Lal Mandal, resident of Mohalla Sultanganj, Gali No.3, Near Purani Durga Asthan, P.S.Sultanganj, District-Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and perused the case diary.

The petitioner is apprehending their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case that on 24.04.2019 at about 8.30 P.M. in the evening the informant received information that his younger brother Dhiraj has been murdered near the orchard. It is also alleged that there is some land dispute with this petitioner in which certain amount was handed over to the petitioner and during the course of investigation, the petitioner's name figured in the FIR.



It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in this case due to suspicion and previous enmity of land dispute. It is further submitted that from perusal of the FIR itself, it appears that co-accused Chhanguri Miyan, came on his motorcycle and thereafter informant got information that his brother and his friends have been murdered and petitioner has no role in the alleged crime. There is no eye witness to the alleged occurrence. Save and except suspicion, there is no any incriminating article has been recovered.

In the aforesaid facts and circumstances, let the above named petitioner be released on bail in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bhagalpur /successor Court in connection with Sultanganj P.S.Case No.96 of 2019, with following conditions:-

(i) Petitioner shall cooperate 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 the Court and



his absence on two consecutive dates without sufficient reason,
their bail bond shall be cancelled by the court below.

(ii) If the petitioner tamper 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.

(Prabhat Kumar Singh, J)

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