

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68401 of 2019**

Arising Out of PS. Case No.-32 Year-2019 Thana- NTPC KHAIRA District- Aurangabad

MANGAL SINGH Son of Late Faudi Singh Resident of Village - Mahuwan,  
P.S.- Badem O.P., Distt.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Singh  
For the Opposite Party/s : Mr.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      25-10-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 342, 223, 224, 34 of the Indian Penal Code, 13(2) of P.C. Act and 3(2) (ii) of SC/ST Act and 50(c) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that the accused persons with the police personnel fled away from the hazat of the police station by keeping one person in hazat.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.8.2019. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that co-accused Mantu Singh, with the



help of constable, managed to escape by putting his driver at his place in the police custody in connection with N.T.P.C. Khaira P.S. Case No. 31/2019. Later, it is said that the petitioner also fled away from the custody in connection with aforesaid case. The petitioner denies the said allegation and states that he was never taken in police custody in connection with the aforesaid case. So, the question of his escaping from the police custody in connection with the N.T.P.C. Khaira P.S. Case No. 31/2019 does not arise. When the petitioner learnt about the aforesaid case, he surrendered and he has already been granted regular bail in the said case. For the act committed by co-accused Mantu Singh in the aforesaid case, the present case has been instituted and the petitioner has also been remanded in the present case. The petitioner submits that he has been remanded in the present case due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, 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 Sessions Judge -VII-cum- Special Judge,



Excise, Aurangabad in connection with NTPC Khaira Case No.  
32/19.

**(Sudhir Singh, J)**

Pankaj/-

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