

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72821 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- HALSI District- Lakhisarai

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RAUSHAN MANDAL @ RAUSHAN KUMAR @ ROSHAN MANDAL
Son of Shambhu Mandal Resident of Village - Mohaddi Nagar, P.S.- Halsi,
Distt.- Lakhisarai. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner in this case is seeking regular bail in connection with Halsi P.S. Case No. 24 of 2019 registered for the offences punishable under Sections 323, 324, 354(A), 379, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is a student and the petitioner has been implicated in this case in the background of family rivalry. It is further submitted that prior to lodging of the present case the uncle of the petitioner has already lodged a Complaint Case No. 56C of 2019 against the present informant. It is further submitted that the petitioner has to fill up his form for appearance in the examination to be held in the month of February, 2020. He is in



custody since 31.08.2019.

Learned APP has opposed the prayer of bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that both the petitioner and the informant are co-villagers, the uncle of this petitioner had lodged a case against the informant side vide Annexure '2' to the present application and because of the family rivalry this petitioner who is a student has been falsely implicated alleging that he was indulged in eve-teasing of the daughter of the informant and further that in course of alleged occurrence which took at the shop of the uncle of the petitioner, this petitioner had assaulted the informant by iron rod, as also the submission that the petitioner has remained in custody since 31.08.2019 and now the investigation is complete as also there is no chance of fleeing away of the petitioner in course of trial and the petitioner being a student aged about 19 years is required to submit his examination form and to appear in the ensuing examination which is likely to be conducted in the month of February, 2020, let the petitioner above named be released on bail in connection with Halsi P.S. Case No. 24 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to



the satisfaction of learned C.J.M., Lakhisarai, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

And further condition that one of the bailors should be a family member of the petitioner having no criminal antecedent and in case the petitioner indulge in similar offence in future the investigating officer shall take appropriate step for cancellation of bail bond of the petitioner in the present case also.

(Rajeev Ranjan Prasad, J)

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