

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66823 of 2019

Arising Out of PS. Case No.-38 Year-2018 Thana- ISMAILPUR District- Bhagalpur

MAHENDRA MANDAL Son of Late Garvu Mandal Resident of Village -
Chhoti Parbatta, P.S.- Ismailpur, Distt - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Session Trial No. 948/2018 arising out of Ismailpur P.S. Case No. 38/2018 registered under Sections 147, 148, 149, 307 of the Indian Penal Code and 27 of the Arms Act, Section 302 of the I.P.C. was added.

Learned counsel for the petitioner submits that in the first information report, there is allegation of indiscriminate firing against the seven named accused persons, but there is no specific allegation of firing against the petitioner and similarly situated accused have been granted privilege of regular bail by learned coordinate Bench of this court in Cr. Misc. No. 75199/2018 and Cr. Misc. No. 77626/2018 and the petitioner is in custody for six months.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that there is an allegation of indiscriminate firing against the seven named accused persons in the first information report, but there is no specific allegation against the petitioner and similarly situated accused have been granted privilege of regular bail by learned coordinate Bench of this court in Cr. Misc. No. 75199/2018 and Cr. Misc. No. 77626/2018 and the petitioner has been in custody for approximately six months, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge, Naugachia in the district of Bhagalpur, in connection with Trial No. 948/2018 arising out of Ismailpur P.S. Case No. 38/2018, 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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