

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67258 of 2019

Arising Out of PS. Case No.-141 Year-2016 Thana- MUNGER MUFFASIL District- Munger

Mithun Mandal @ Tuntun Mandal, Son of Phulo Mandal @ Shital Mandal,
Resident of Village - Vijay Nagar, P.S.- Muffasil, Distt - Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Muffasil P.S. Case No. 141 of 2016 registered for the offences punishable under Section 364/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the petitioner has not committed any offence as alleged in the FIR.

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

Considering the facts and circumstances of the case and the submission of learned counsel for the petitioner that this



petitioner was not on inimical term with the husband of the informant, no motive has been alleged against him and the only allegation is that her husband had gone with a sum of Rs. 2,50,000/- with this petitioner and the co-accused Pankaj Mandal but thereafter he did not return, the further submission that the co-accused Pankaj Mandal has been granted bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 51531 of 2017 as also further submission that the petitioner is in jail since 02.02.2019 and the trial has not yet begun, let the petitioner above named be released on bail in connection with G.R. No. 1267(A)/2016 arising out of Muffasil P.S. Case No. 141 of 2016 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., Munger, 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)

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