

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83993 of 2019

Arising Out of PS. Case No.-571 Year-2003 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

=====

GULABI MANDAL Son of Deval Mandal Resident of Village - Navtoliya
Bhitha, P.S.- Sahuparbatta and District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh
For the Opposite Party/s : Mr.Brajendra Nath Pandey

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 16-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302, 120B, 109, 34 of the Indian Penal Code.

Informant has alleged that while she along with other family members was sitting in her verandah, suddenly, FIR named accused including the petitioner came and there is specific allegation against Ranjit Saw of firing upon her husband as a result of which, he fell down and died.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. There is no allegation of any specific overt act against the petitioner and only allegation against him is that he was present



along with other co-accused persons. Similarly placed co-accused Nandu Mandal has already been granted bail by a co-ordinate Bench of this Court vide order dated 14.11.2017 passed in Cr. Misc. No.43686 of 2017. Petitioner has no criminal antecedent and he is in custody since 16. 09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with S.T. No.174A/2016 arising out of Kotwali (Barari) P.S. Case No.571/2003, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate 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, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers 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.

(S. Kumar, J)

Sanjay/-

U		T	
---	--	---	--

