

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 13128 of 2021

Arising Out of PS. Case No.-67 Year-2020 Thana- JAMALPUR District- Munger

RAM CHANDRA MANDAL S/o Late Devi Mandal Resident of Village-
Faridpur, P.S.- Jamalpur, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv

For the Opposite Party/s : Mr. Suman Kr. Mishra, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 18-08-2021 In view of sudden resurgence of COVID – 19
infection there is limited functioning of the High Court and
therefore the matter has been listed for consideration through
virtual mode.

Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's
Counsel would honour his undertaking in the instant
proceedings regarding supply of requisite court fee etc. within
two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Jamalpur P.S.
Case No. 67 of 2020 registered under Sections 302, 120B and
34 of the Indian Penal Code and Section 27 of the Arms Act.

Four named accused, along with 4-5 unknown have



assaulted the informant's son with sharp cutting weapon. Co-accused Rambali Mandal has allegedly fired upon his son. The son has later been declared dead.

The learned counsel for the petitioner submits that the petitioner is not named in the FIR. There is no material to connect him with the alleged crime. Specific allegation, by name, is against co-accused Santosh Jha, Rajesh Jha, Rambali Mandal and Gulati Jha. Rambali Mandal has fired upon the deceased. Petitioner's implication is based on confessional statement of co-accused made before the police. Co-accused Rajesh Singh and Suraj Yadav, similarly situated have been allowed bail in Cr. Misc. No. 3767/2021 and Cr. Misc. No. 14228/2021 respectively and other co-accused have also been granted bail by the Court below. The petitioner and informant are own brothers. Petitioner is stated to be in custody since 2.10.2020.

Learned APP has opposed the prayer for bail. It is submitted that co-accused has stated about the petitioner's complicity and petitioner has been seen while fleeing away from the place of occurrence.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of



bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let 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 C.J.M., Munger, in Jamalpur P.S. Case No. 67 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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