

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26711 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- JAMUI District- Jamui

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MOHAN MANDAL S/o- Daso Mandal Resident of Village - Manjhway, P.S.
- Jamui, Distt. - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baxi SRP Sinha, Sr. Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code to which section 302 of the Indian Penal was added subsequently.

As per the prosecution case, all the accused persons which included Daso Mandal, Mohan Mandal, Rama Mandal and Nilam Devi are stated to have come and on the orders Daso Mandal, the other accused persons assaulted Shahrukh Khan as a result of which he was seriously injured.

It is submitted by learned senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties and the correct version having been mentioned in the FIR lodged by the brother of the petitioner herein which has been brought on record as Anenxure 2 to the petition. Learned senior counsel further refers to the order of the learned Court below wherein the postmortem report of the deceased has been dealt with and



submits that from the contents of the postmortem report the petitioner cannot be stated to have caused the injuries which led to death. Further reference is made to Annexure 3 series, the injury reports of the brother and bhabhi of the petitioner showing that they sustained grievous injuries. The petitioner is in custody since 24.5.2020 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the submissions made on behalf of the petitioner together with the petitioner having remained in custody for over 1 year 6 months, the Court directs the petitioner to be enlarged on bail in connection with S.Tr. no. 30 of 2021 (arising out of Jamui P.S. Case no. 268 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Jamui, District, Jamui.

(Partha Sarthy, J)

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