

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30239 of 2021

Arising Out of PS. Case No.-621 Year-2020 Thana- AMARPUR District- Banka

1. BANGALI MANDAL Son of Late Dhanpat Mandal Resident of Village - Saheshpur, P.S. Amarpur, District Banka.
2. Ramshwaroop Mandal @ Ramswaroop Mandal Son of Late Dhanpat Mandal Resident of Village - Saheshpur, P.S. Amarpur, District Banka.
3. Batan Mandal Son of Late Babulal Mandal Resident of Village - Saheshpur, P.S. Amarpur, District Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-08-2021 Heard learned counsel for the petitioner and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 307 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, on 15.10.2020 while the niece of informant was cutting grass in her field and co-villagers, namely, Munna Mandal and Bharat Mandal were passing by his field and were carrying grass, in the meantime these petitioners armed with lathi and danda and co-accused Jitendra Mandal armed with pistol came abused and caught Munna Mandal and Bharat Mandal and then co-accused,



Jitendra Mandal fired upon Munna Mandal and Bharat Mandal but anyhow hit the thigh of the niece of the informant.

Learned counsel appearing for the petitioners submit that petitioners are only members of mob. There is no allegation of assault against these petitioners. Specific allegation of firing is against co-accused, Jitendra Mandal. Petitioners claim clean antecedent and are in custody since 26.12.2020.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Amarpur PS case No. 621/ 2020 on the following conditions:-

(1) Petitioners 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 on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the



witnesses, in that case the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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