

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26172 of 2020

Arising Out of PS. Case No.-577 Year-2019 Thana- KATIHAR District- Katihar

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PANKAJ MANDAL @ PANKAJ KUMAR MANDAL Son of Gopal Mandal
Resident of Mohalla- Teja Tola, Ward No. 04, P.S.- Katihar Town Sahayak,
District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : None.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 06-01-2021 Heard learned counsel for the petitioner. No one
appears on behalf of the State despite repeated calls.

The petitioner is in custody in connection with
Katihar Town P.S. Case No. 577 of 2019 for the offence under
Section 302/34 IPC.

Learned counsel for the petitioner submits that the
present case is developed version. Earlier an U.D. case was
registered and later on a fardbeyan was recorded. He further
submits that there is no eye witness to the occurrence. The
allegation is general and omnibus and there is no specific
allegation of assault by the petitioner. There is land dispute
between the parties from before. The petitioner is in custody
since 05.09.2019. The petitioner has no criminal antecedent.



Considering the fact that the petitioner has no criminal antecedent, there is general and omnibus allegation, the petitioner is next door neighbour and there is land dispute between the parties, the Court is inclined to grant bail to the petitioner. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in connection with Katihar Town P. S. Case No. 577 of 2019.

The Superintendent of Police, Katihar is directed to ensure examination all prosecution witnesses at the earliest so that the trial is concluded within a period of nine months from the date of receipt/production of a copy of this order.

In the event there is any delay and laches on the part of the petitioner in conclusion of the trial and the petitioner fails to appear on 2 consecutive dates without any cogent reason, the trial court shall be at liberty to cancel his bail bonds.

(Anil Kumar Upadhyay, J)

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