

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28371 of 2020

Arising Out of PS. Case No.-342 Year-2018 Thana- AMARPUR District- Banka

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BABLOO MANDAL S/o Sita Ram Chouhan Resident of Village-Meghna
Bachhni, P.S.-Amarpur, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachin Kumar, Adv

For the Opposite Party/s : Ms.Pronati Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 24-02-2021 Heard the parties.

Petitioner seeks bail in a case registered for the offences punishable under Sections 307, 302, 120(B), 34 of the Indian Penal Code and 27 of the Arms Act.

The petitioner and others indiscriminately fired at the informant and his father which resulted in injury and death of the father of the informant. Petitioner is in custody since 02.08.2018.

In the past, prayer for bail to the petitioner was refused on 19.06.2019 in Cr. Misc. No.12863 of 2019 with direction to the learned Trial Judge to conclude the trial within nine months.

The report of the learned Trial Judge would reveal that the case is pending for prosecution evidence. In the



meantime, co-accused-Pawan Mandal has already been allowed bail by a Coordinate Bench of this Court, vide order at Annexure-5, considering period of his custody and no chance of conclusion of the trial.

Learned counsel for the informant opposed the prayer for bail, however could not explain why the informant has not been produced or prosecution witness up-till-now.

Considering the entire facts aforesaid, there is no reason for further detention of the petitioner as undertrial prisoner in absence of any material to substantiate that the petitioner is going to tamper with the evidence, hence let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Amarapur Police Station Case No.342 of 2018, G.R.No.2167 of 2018 (S.T.No.220 of 2019) with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.



(c) The petitioner shall not leave the country without
permission of the trial Court.

(Birendra Kumar, J)

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