

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40021 of 2021

Arising Out of PS. Case No.-181 Year-2020 Thana- GAMAHAIRIYA District- Madhepura

1. Nunulal Mandal Son of Bhuvneshwar Mandal Resident of Village- Kanhua, Ward No. 02, P.S.- Gamhariya, District- Madhepura.
2. Yogendra Mandal @ Yogendra Kumar Son of Nunulal Mandal Resident of Village- Kanhua, Ward No. 02, P.S.- Gamhariya, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 07-10-2021 Heard learned counsel for the petitioners and learned Addl. Public Prosecutor for the State.

Petitioners pray for grant of bail in S.T. No. 129 of 2021, arising out of Gamhariya P.S. Case No. 181 of 2020, registered for the offence under Sections 302, 120(B), 201 / 34 of the Indian Penal Code.

As per the prosecution case, these petitioners alongwith other FIR named accused persons are alleged to have committed murder of son of the informant by sharp cutting weapon, while he was sleeping in house, and thrown his dead-body in mango orchard.



It is submitted on behalf of petitioners that due to land dispute between the parties, petitioners have been falsely implicated in this case. There is no eye-witness to the alleged occurrence. No specific overt act has been alleged against these petitioners. Petitioners have got clean antecedent and they are in custody since 04.03.2021. Chargesheet has been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. - IV, Madhepura in connection with S.T. No. 129 of 2021, arising out of Gamhariya P.S. Case No. 181 of 2020, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on their absence on two consecutive dates without sufficient reason, their 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.)

anay

U		T	
---	--	---	--

