

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1913 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- SONO District- Jamui

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KUNDAN MANDAL S/o Nandu Mandal R/o Village- Lakhankyari, P.S.-
Sono, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Prem Ranjan Raj
For the Informant	:	Mr. Rajesh Kumar Sinha
For the Opposite Party/s	:	Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-03-2021 Heard counsel for the petitioner, counsel for the
informant and the State.

The petitioner seeks bail in Sono P.S. Case No. 150 of
2020, registered for the offence punishable under Sections 147,
149, 341, 323, 325, 308, 354, 504 and 506 of the Indian Penal
Code.

As per the prosecution case, while the informant
along with family members and co-villagers were constructing
road, all the accused persons including this petitioner armed
with various weapons came and started assaulting the informant
and his family members. This petitioner is alleged to have
assaulted the informant's nephew Raju Mandal by means of Axe
on his head causing head injury.



It is submitted on behalf of the petitioner that there is case and counter case and both sides sustained injury. Incident has taken place due to land dispute between the parties. Petitioner is in custody since 09.08.2020 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Counsel for the informant vehemently opposed the prayer for bail and submitted that there is specific allegation of assault against this petitioner causing grievous injury on the head of informant's nephew.

Considering the facts and circumstances of the case and the fact that fight took place because of land dispute and case and counter case and petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Jamui in connection with Sono P.S. Case No. 150 of 2020, subject to following conditions:-

(i) The petitioner 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 in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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