

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39200 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- MORKAHI District- Khagaria

1. Pawan Mandal S/o Sadanand Mandal R/o village- Balaur, P.S.- Morkahi, District- Khagaria
2. Dharo Mandal S/o Sadanand Mandal R/o village- Balaur, P.S.- Morkahi, District- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Najmul Hodda, Advocate
For the State	:	Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 3 20-02-2021 Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioners seek bail in Morkahi P. S. Case No 06 of 2020 instituted for the offence under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged that accused persons have gone to the house of the informant and opened fire leading to his father's death.

The learned counsel for the petitioners submits that specific firearm injury is attributed against co-accused Sonu Kumar, Shatrughan Mandal and Navin Mandal. Even the alleged motive for the occurrence is assigned to co-accused Sonu Kumar Mandal. The petitioners, who are brothers and



agnates of other co-accused, have been implicated only by virtue of their relationship. The petitioner No 2 has no criminal antecedents whereas petitioner No.1 has one criminal antecedents, in which, he is on bail. In the present case, the First Information report has been lodged on 13.01.2020 at 5 PM whereas alleged occurrence has taken place on 12.01.2020 in the night.

The petitioners are in custody since 20.02.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the aforesaid, let the petitioners, above named, 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 the learned Sub Divisional Judicial Magistrate, Khagaria, in connection with Morkahi P. S. Case No 06 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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