

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12300 of 2021

Arising Out of PS. Case No.-14 Year-2020 Thana- GWALPARA District- Madhepura

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Dhruv Kumar Mandal @ Dhruv Mandal @ Uday Kumar Son Of Rajendra
Mandal Resident Of Village - Sinduwari, P.S.- Gwalpara, District -
Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Om Prakash Prasad, Advocate

For the Opposite Party/s : Mr. M. Alam, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 26-08-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 307/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, petitioner and other accused persons named in the FIR demanded Rs.2 lacs as rangdari and on refusal aforesaid accused persons including 17 unknown persons came to the house of the informant and made indiscriminate firing but no one was hurt. It is also alleged that the accused persons also took three motorcycles with them.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. There is general and omnibus allegation of resorting to firing against all the accused persons and no specific overt has been alleged against the petitioner. Petitioner is in custody since 28.2.2020 and several similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court vide order mentioned in paragraph 15 of the bail petition.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that several similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court, let the petitioner, mentioned above, 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 Sri Shiv Kumar, Judicial Magistrate, Udakishunganj, Madhepura in Gwalpara Police Station Case No. 14 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the



Court below.

(2) If the petitioner tampers 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)

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