

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14906 of 2022

Arising Out of PS. Case No.-255 Year-2021 Thana- SHAHKUND District- Bhagalpur

Suresh Mandal, S/o Late Metar Mandal @ Maner Mandal Resident of
Paidominia Mal (Panchrukhi), P.S.- Shakhund, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Indeshwari Prasad Mandal
For the State	:	Mr. Dinesh Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Shahkund P.S. Case No. 255 of 2021, for the offence punishable
under Sections 302/34 of the Indian Penal Code.

The prosecution story, in brief, is that accused persons
named in the F.I.R. confined the victim in a room and brutally
assaulted him, who succumbed to injuries.

Learned counsel appearing on behalf of the petitioner
submits that from the very perusal of the F.I.R. itself, it appears
that petitioner was not present inside the room in which the
victim was brutally assaulted, rather, he had reached at the place



of occurrence to save victim. He had warned the accused persons named in the F.I.R. to stop assaulting the victim, who is the son of informant. Learned counsel further submits that the petitioner is village Sarpanch, which is a responsible post, but due to dirty village politics, he has been roped in the present case. The petitioner has clean antecedent and he is in custody since 06.12.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case as well as having perused the allegation made in the F.I.R. it appears that as per allegation made in the F.I.R. petitioner was found outside the room, where the victim was being brutally assaulted by the accused persons named in the F.I.R. The petitioner holds responsible post of Sarpanch. The petitioner has clean antecedent and he is in custody since 06.12.2021. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-II, Bhagalpur in connection with Shahkund P.S. Case No. 255 of 2021, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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