

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32017 of 2022

Arising Out of PS. Case No.-254 Year-2020 Thana- KAHALGAON District- Bhagalpur

Jangli Mandal Son Of Shiv Mandal R/O Village- Saidpur Kulkuliya, P.S.-
Kahalgaon, District- Bhagalpur (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 30-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kahalgaon P.S. Case No. 254 of 2020 lodged under Sections
302, 304, 34 of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the informant along with
his brother were sitting in the old school and the accused
persons named in the F.I.R. including the present petitioner are
there. It has been specifically alleged that the petitioner handed
over 303 pistol to accuse Hiran Mandal who shot at the
informant due to which he suffered the fire arm injury on the
lower part of his leg.

Learned counsel for the petitioner submits that petitioner has not made fire and the person who has made fire arm injury on the lower part of his leg has been granted bail by the Co-ordinate Bench of this Court vide order date 11.05.2022 passed in Cr. Misc. No.56879 of 2021. Learned counsel for the petitioner submits that antecedent of the petitioner is clean and he is in custody since 22.08.2021, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Addl. Sessions Judge-cum-Spl, Judge (SC/ST Act) Bhagalpur in connection with Kahalgaon P.S. Case No. 254 of 2020 , subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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