

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36259 of 2022

Arising Out of PS. Case No.-57 Year-2014 Thana- NATHNAGAR District- Bhagalpur

Nitish Kumar Mandal @ Nitesh Kumar S/O- Late Kishan Mandal Resident
Of Village- Chhoti Mohanpur, Khabaspur Milki, P.S.- Ekchhari, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2022 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
S.T. No.- 21 of 2022 arising out of Nathnagar P.S. Case No. 57
of 2014 lodged under Sections 304(B)/201/34 of the I.P.C.

As per the prosecution case, the allegation of
304B/201/34 of the I.P.C. is there against the petitioner
alongwith other persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that no offence under Section 304(B) of the I.P.C. can be made

out against the stranger. He submits that petitioner is stranger for the family and he is nowhere related with the deceased. Learned counsel further submits that he is friend of the husband of deceased. He is in custody since 03.10.2021 having clean antecedent. He further submits that the other co-accused persons have been granted bail vide order dated 19.05.2016 passed in Cr. Misc. No. 20809 of 2016.

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 1st Addl. Sessions Judge-cum-Special Judge Vigilance (Trap Cases), Bhagalpur in connection with S.T. No.- 21 of 2022 arising out of Nathnagar P.S. Case No. 57 of 2014, 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.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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