

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36023 of 2022

Arising Out of PS. Case No.-810 Year-2021 Thana- KAHALGAON District- Bhagalpur

Bipin Mandal Son Of Umesh Mandal @ Karu Mandal R/O- Vill- Kulkulia,
P.S.- Kahalgaon, Dist.-BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar Jha, 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
Session Trial No. 198 of 2022 arising out of Kahhalgaon P.S.
Case No. 810 of 2021 lodged under Sections 341/323/307/34 of
the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the F.I.R. has been
lodged against 3 known accused persons including the
petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that in the F.I.R., there is general and omnibus

allegation against the petitioner and Dinesh Mandal. The specific allegation is against Muthun Mandal to shot fire by *desi katta* on the informant. Learned counsel for the petitioner further submits that petitioner is in custody since 09.01.2022 having clean antecedent and charge sheet has already been filed in this case. Learned counsel further submits that the Co-ordinate Bench of this Court vide order dated 02.09.2022 passed in Cr. Misc. No. 28472 of 2022 has pleased to grant bail to the accused Mithun Mandal.

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 4th Additional District and Sessions Judge, Bhagalpur in connection with Session Trial No. 198 of 2022 arising out of Kahalgaon P.S. Case No. 810 of 2021, 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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