

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52810 of 2021**

Arising Out of PS. Case No.-585 Year-2020 Thana- JAMUI District- Jamui

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KAILASH MANDAL, S/o Late Agnu Mandal Resident of Village- Harla,
P.S.- Jamui, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, Adv.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 31-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Jamui P.S. Case No. 585of 2020 (G. R. No. 3805 of 2020), registered for the offence under Sections 147, 148, 149, 341, 323, 324, 354, 307, 447, 504, 506 and 302 of IPC.

As per FIR, the petitioner along with other accused persons came at the door of the informant and assaulted her husband with lathi and other weapons and other co-accused persons namely Jaso Devi, Ravina Kumari, Punam Kumari snatched Rs. 5000/- and a silver chain from the house of the



informant.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and has falsely been implicated in the present case. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons. He further submits that the petitioner and informant of the instant case are gotiya to each other and there is land dispute between the parties. He further submits that there is no specific allegation of overt act against the petitioner and the similarly situated co-accused Punit Mandal has been granted privilege of regular bail vide order dated 23.02.2022 passed in Cr. Misc. No. 34587 of 2021 and Jaso Devi other co-accused namely Jaso Devi has also been granted anticipatory bail vide order dated 24.03.2022 passed in Cr. Misc. No. 48650 of 2021. The petitioner is in custody since 13.04.2021.

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

Considering the fact and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui



in connection with Jamui P.S.Case No. 585 of 2020 with 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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