

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13627 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- JOGBANI District- Araria

BAIJNATH MANDAL Son of Late Mahadeo Mandal Resident of Village -
Pipra, Ward No.- 10, P.S.- Jogbani, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Jogbani P.S. Case No. 271 of 2022, registered for the
offences punishable under Sections 302/34 of the IPC.

As per allegation, the petitioner and his son Sunil
Mandal had assaulted the father of the informant, who died,
sustaining the injuries.

The learned counsel for the petitioner has submitted
that he is innocent and has falsely been implicated in this case. There
is allegation that he along with his son Sunil Mandal assaulted the
deceased, who is his own brother but there is no motive assigned. He
has submitted further the informant, when realised the fact, had filed
a petition in the court below, which is at annexure-2 in which he has



denied the recitals of the FIR and has stated that none has assaulted his father. As a matter of fact, his father fell at *Silbatta* and he became injured. He has also submitted that co-accused Sunil Mandal has been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 14150 of 2023.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Araria in connection with Jogbani P.S. Case No. 271 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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