

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21390 of 2023

Arising Out of PS. Case No.-102 Year-2022 Thana- LAUKAHI District- Madhubani

Hare Ram Mandal Son of Late Jiwachh Mandal Resident Of Village-
Manganpatti, Po- Narahia, Ps- Laukahi (narahia Op), Distt- Madhubani
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with S.T. No. 542 of 2022 arising out of Laukahi (Narahiya O.P.) P.S. Case No. 102 of 2022 dated 02.05.2022 instituted for the offence punishable under Sections 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation in the F.I.R., while the daughter of the informant was sleeping in her room, on 01.05.2022 at 12.30 A.M., some unknown persons fired on her head resulting into her death at the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner



is not named in the F.I.R. On the basis of confessional statement of co-accused Umakant Mandal, the petitioner has been named in this case. Learned counsel for the petitioner further submits that similarly situated co-accused Umakant Mandal has been granted bail vide order dated 05.04.2023 passed in Criminal Miscellaneous No. 69150 of 2022 by a Co-ordinate Bench of this Court. Lastly, it has been submitted that the petitioner is in custody since 08.08.2022 having one criminal antecedents. Charge-sheet has been submitted in the case.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court of Additional District & Sessions Judge-III, Jhanjharpur, District Madhubani in S.T. No. 542 of 2022 arising out of Laukahi (Narahiya O.P.) P.S. Case No. 102 of 2022, subject to the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail



bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. 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.

(Khatim Reza, J)

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