

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51884 of 2023

Arising Out of PS. Case No.-58 Year-2022 Thana- TIKAPATTI District- Purnia

Abhinandan Kumar Mandal @ Abhinandan Kumar Son Of Pramod Kumar
Mandal @ Pramod Kumar @ Pramod Mandal @ Kumod Kumar Resident Of
Village Maheshpur P.S. Kursela Distt Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.05.2023 in connection with Tikapatti P.S. Case No. 58 of
2022, F.I.R. dated 02.07.2022 for the offences punishable under
Sections 147, 148, 149, 323, 365 and 302 of the Indian Penal
Code.

3. According to prosecution case, the informant's
brother has business of maize dealing with Yogendra Mandal.
On some transaction dispute between them, on some evening all
the accused persons have beaten the deceased in the field. After
that Yogendra Mandal took him to Tikapatti. From the villagers
it is known that wife of Yogendra Mandal and others have



informed him that his son was killed. Then he went to Yogendra Mandal's house and found his son's dead body at Yogendra Mandal's house, and all the accused persons fled away from the house.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner is transpired only on the basis of confessional statement of the co-accused person namely Ravi Shankar Kumar. He further submits that from the bare perusal of the F.I.R, it appears that there is specific allegation against the co-accused person who has named in the F.I.R. as Yogendra Mandal. He further submits that except the confessional statement of co-accused person, no other cogent material has come to suggest the involvement of the petitioner in the present occurrence and the co-accused person namely, Ranjit Kumar has been granted bail on 04.05.2023 in Cr. Misc. No. 1316 of 2023 and Shatrughan Kumar @ Shatrughan Yadav has been granted bail on 09.05.2023 in Cr. Misc. No. 69585 of 2022 as well as Manish Kumar Jha have been granted bail on 09.05.2023 in Cr. Misc. No. 75221 of 2022. The petitioner is in custody since



04.05.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Purnea, in connection with Tikapatti P.S. Case No. 58 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 shall remain physically present as directed 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. 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.

iii. 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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