

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61712 of 2023

Arising Out of PS. Case No.-234 Year-2023 Thana- BELHAR District- Banka

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1. Shaligram Mandal S/O Late Kisan Mandal R/O Village- Bara, P.S- Belhar, Distt.- Banka.
 2. Kamlesh Mandal S/O Late Kisan Mandal R/O Village- Bara, P.S- Belhar, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with
Belhar P.S. Case No. 234 of 2023 registered for the offence
under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners along with
other co-accused persons are alleged to have committed murder
of the informant's father by pelting stones & bricks.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. A land
dispute was going on between the parties since long and due to
which the petitioners have falsely been implicated in this case.



From perusal of FIR, it appears that general and omnibus allegations of assaulting leveled against these petitioner. No specific overt-act attributed to them. They have got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioners are languishing in judicial custody since 5.6.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Belhar P.S. Case No. 234 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka.

(Sunil Kumar Panwar, J)

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