

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80408 of 2023

Arising Out of PS. Case No.-271 Year-2020 Thana- BARHARA KOTHI District- Purnia

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BECHAN MANDAL @ YOGENDRA MANDAL son of Anandi Mandal
Village- Dubba Tola Ps- Barahara Kothi Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Jha, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Barahara P.S. case No.
271 of 2020 instituted for the offences under Sections 147, 148,
149, 341, 323, 324, 307, 353, 504, 506 of the Indian Penal Code
and Section 27 of the Arms Act.

3. Prosecution allegation, in short, is that on receiving
information that the accused persons are forcibly harvesting of
the informant of Barahara P.S. case No. 267 of 2020, the police
reached the spot and saw that the accused persons were
ploughing the field on brandishing arms. On seeing the police,
accused persons started fleeing away but some were
apprehended and the apprehended persons disclosed the name of



the petitioner who fled away.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.05.2023 and has eight criminal antecedents in which he is on bail. The petitioner has falsely been implicated in the present case. No specific allegation of assault is alleged against the petitioner. There is a case and counter case between the parties. Learned counsel for the petitioner submits that there is land dispute between the parties.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of allegation, and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barahara P.S. case No. 271 of 2020 (S.T. No. 67 of 2021) subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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