

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78137 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

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Bikki Mandal @ Bikki Kumar @ Bikki Son of Shankar Mandal @ Shankar Kumar Mandal Resident of Village - Baluachak, P.S.- Jagdishpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the State : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 13-02-2024 Heard learned counsel for the petitioner and learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Jagdishpur P.S. Case No. 194 of 2022 instituted for the offence under Sections 302, 120B of the Indian Penal Code.

3. As per case, the informant's husband was assaulted by accused persons including the petitioner by means of *lathi*, *danda* and *iron rod* lead to death of the informant's husband.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28-07-2023. Petitioner is stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. There is no specific allegation attributed to the petitioner. Other co-accused have been granted bail by Co-ordinate Bench of this Court passed in Cr. Misc. No. 69348 of 2022 and Cr. Misc. No. 21819 of 2023. Charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, 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 Jagdishpur P.S. Case No. 194 of 2022 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)

Raj Kishore/-

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