

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84385 of 2023

Arising Out of PS. Case No.-127 Year-2021 Thana- AKBARNAGAR District- Bhagalpur

Govind Mandal @ Govind Kumar Mandal Son Of Dayanand Mandal
Resident Of Village - Raghopur, P.S. - Nathnagar, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Akbarnagar P.S. Case No.127 of 2021, lodged on 28.12.2021, under Sections 147/148/149/341/302/504 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution, in the FIR the informant has alleged that he and his family members were going towards their house when accused persons including the petitioner have surrounded and one Jogindar Mandal @ Kare Mandal fired on the chest of the informant's son as a result of which he immediately died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to village politics. He submits that from the FIR itself the direct allegation of firing on the informant is against co-accused Jogindar Mandal. Counsel further submits that charge sheet has already been submitted in this case. The petitioner is in custody since 20.07.2023 having no criminal antecedent. Counsel also submits that two other similarly situated co-accused persons have been granted bail by the coordinate Bench of this Court which is annexed as Annexure-2 series in the present application.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Bhagalpur, in connection with Akbarnagar P.S. Case No.127 of 2021, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;



(ii) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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