

In the Court of Addl. S.J.-I-cum-Special Judge-S.C./S.T., Supaul
S.C./S.T. Case No.- 47/14

21/07/23

A regular Bail petition filed on behalf of the petitioners namely Bindeshwar Mandal and Anil Kumar Mandal, who are in custody since 17/07/23, has been pressed today. The copy of said bail petition has already been served to the learned Special PP.

Heard the learned Advocate for the petitioners Sri Manoj Kumar Jha and learned Special PP Sri Satya Narayan Mehta for the State.

It is submitted by the learned counsel for the petitioners that the petitioners had filed representation on 03/05/23, but since the case was fixed for the argument, so their bail were cancelled. The learned advocate for the petitioners submitted that if the bail is granted then the petitioners shall furnish the original death certificate on the next date fixed in the court. The petitioners are in custody since 17/07/23 and they undertake to remain present on all dates in the case. It is therefore prayed that the petitioners be released on bail.

The learned Special PP opposed the prayer for bail and submitted that the proceeding in the case remained hampered due to absence of the accused persons.

Heard and perused the case record. It appears that the case is the old one and it was fixed for argument, but it was informed on behalf of the accused persons that one accused namely Ramdeo Mandal has died and therefore, it was ordered on 01/12/22 to the accused persons to furnish the death certificate of the deceased accused. It further appears that several dates have passed but neither the required death certificate was filed in the court nor the accused persons were making proper prosecution of the case. Hence, their bail bonds were cancelled on 03/05/23.

Considering the aforesaid facts and circumstances and also considering the period of misuse vis-a-vis the period of custody underwent by the petitioners, their prayer for bail is allowed and the petitioners are directed to be released on their furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the court with a condition that the petitioners shall remain physically present till disposal of the case and they shall furnish the original death certificate of deceased accused Ramdeo Mandal before the court, failing which their bail bonds be liable to be cancelled.

Dictated



Nishu Kant Thakur
21/7/23

Addl. Sessions Judge-I
cum-Special Judge-S.C./S.T.
Supaul