

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21320 of 2016

Arising Out of PS.Case No. -286 Year- 2015 Thana -KOTWALI District- MUNGER

Prabhakar Mandal Son of late Lakhan Mandal Resident of vilalge-
Kushwaha Tola, Madhopur, P.S: Kotwali, District :Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sada Nand Roy, Advocate
For the Opposite Party : Mr. M.K.Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody in connection with **Munger**
Kotwali P.S.Case No.286 of 2015 pending in the Court of **CJM,**
Munger registered for an offence under Sections 302/34 of the
IPC.

As per the prosecution case, it is alleged by the
informant that all the accused persons, firstly, beaten his brother,
Pratap brutally by means of hockey stick and rod and after that
one Prabhakar Mandal shot at the chest of his brother and when
the deceased tried to escape, he was again caught by the accused
persons and during that course one Kundan Mandal shot at the
temple of deceased Pratap who died instantaneously.

Learned counsel for the petitioner submits that petitioner is in custody since 31.12.2015. Chargesheet has been submitted. Petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Petitioner has falsely been implicated in the present case due to village politics. There is admitted enmity with the other co-accused.

On behalf of the State, it is submitted that the petitioner is alleged to have fired on the chest of the deceased. The deceased succumbed to the said injuries. The postmortem report also corroborates the allegations made in the FIR.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, the same is rejected.

The Court below is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

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