

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56641 of 2015

Arising Out of PS.Case No. -233 Year- 2015 Thana -BHAWANIPUR District- PURNIA

Bimal Mandal Son of Late Damodar Mandal Resident of Village-
Brahamgyani Diyara Navtolia, P.s.-Bhawanipur, Dist.-Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Md. Ashlam Ansari (App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 05-02-2016 Heard learned counsel for the petitioner and counsel
for the State as also counsel for the Informant.

In this case, the petitioner is seeking bail in connection
with Bhawanipur P.S. Case No. 233 of 2015 for offence Section
302/34 of the Indian Penal Code.

Allegation has been made that Mukesh Kumar was
going to Rupauli from Bhawanipur on his own Tempo and near
the village Nautolia, the dog of the petitioner, Bimal Mandal came
under the Tempo and died. On that count, Bimal Mandal's
henchman surrounded the Tempo, took out the Informant and
dragged him on the road and had mercilessly beaten the informant
who died later on.

Learned counsel for the petitioner submits that the

version that has been made in the First Information Report is not supported by the postmortem report as well as certain paragraphs of the Case Diary.

Learned counsel for the Informant has shown the photograph of the victim which itself depicts the nature of injury sustained by the victim as well as Shatru Rishi Deo, who was also going along with the victim, who has also made statement.

Learned counsel for the petitioner submits that Shatru Rishi Deo, who has also stated about sustaining of injury on him, has not come in the Case Diary.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, namely, Bimal Mandal is rejected.

(Shivaji Pandey, J)

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