

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53688 of 2016**

Arising Out of PS.Case No. -19 Year- 2016 Thana -EAST COLONY District- MUNGER

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Mukesh Kumar @ Mukesh Kumar Chaurasia, S/o Surendra  
Mandal, R/o village-Nayagaon, Bajrangwali Road, P.S.- East  
Colony, District-Munger

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Jyoti Ranjan Jha, Advocate

For the Opposite Party : Mr. Rajkishore Singh(APP)

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      14-12-2016                      Heard learned counsel for the petitioner and the  
  
State.

The petitioner seeks bail in a case instituted for the  
offence punishable under Section 302/34 of the Indian Penal Code  
and under Section 27 of the Arms Act.

It is alleged that on the date of occurrence at 8.15  
P.M in the night when the informant Ashish Kumar was watching  
T.V. he heard sound of firing upon which he came out on shop and  
saw that his father Ashok Kumar Mandal was lying on road and  
was tossing, who had sustained bullet injury and blood was oozing  
out. It is alleged that within a few moment his father died on the  
road. Informant saw his uncle Ajay Kumar Mandal, Surendra  
Mandal and his sons namely, Mukesh Kumar Chaurasia



(petitioner) fleeing away from the place of occurrence. It is alleged that to create havoc the petitioner fired one shot. The motive behind the occurrence is land dispute.

It is submitted that one of the co-accused, namely, Surendra Mandal has been granted bail by Co-ordinate Bench of this Court vide Cr. Misc. No.32067 of 2016 passed on 17.09.2016. In the written report there is no any allegation of specific overt act against the petitioner. It is alleged that he fired shot to create havoc but no injury has been caused to anybody. It has been submitted that there is land dispute between the parties.

In the aforesaid circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1<sup>st</sup> Class, Munger in connection with East Colony P.S. Case No. 19 of 2016.

**(Sanjay Priya, J.)**

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