

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25966 of 2016

Arising Out of PS.Case No. -11 Year- 2015 Thana -BIHPUR District- BHAGALPUR

=====

Gautam Mandal Son of Brahmade Mandal, R/o Village- Dudhela, PS
Bihpur, Distrcet Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Chandan Kumar Kashyap, Advocate

For the Opposite Party : Mr. Humayou Ahmad Khan, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-08-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Bihpur P.S. case No.11 of 2015 instituted for the offence under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act, pending in the court of Additional Chief Judicial Magistrate IInd, Naugachia.

Allegation against the petitioner along with other co-accused, namely, Sanjay Mandal, is of firing upon the deceased.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.02.2016 and the charge sheet has been submitted in the present case. The petitioner has no criminal antecedent. There is no allegation of tampering of witnesses against the petitioner. The informant is not an eye witness to the assault part. From perusal of the postmortem report, there is only

one gun shot injury on the head of the deceased.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. The petitioner and the other accused, namely, Sanjay Mandal are said to have been identified by the father of the deceased in the bulb light while they were fleeing away after committing the offence.

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)

Narendra/-

U		T	
---	--	---	--