

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23461 of 2017

Arising Out of PS.Case No. -34 Year- 2016 Thana -DHOLBAJJA District- BHAGALPUR

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1. Anil Mandal, son of Sarovar Mandal, resident of Village- Jangali Tola,
P.S.- Dholbajja (Kadwa), Dist- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.
Mr. Bibhuti Narayan, Adv.

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act in connection with Dholbajja (Kadwa) P.S. Case No. 34/2016.

Allegation, as per the F.I.R., against this petitioner is that he fired on the husband of the informant causing his death.

It has been submitted on behalf of the petitioner that there is no eye-witness of the occurrence and the same has been admitted by the informant herself in her further statement. The informant herself has not supported the prosecution case in her further statement recorded in the case diary. She has made specific



allegation of firing against the petitioner and one co-accused in F.I.R., but there is general allegation of firing on the deceased. In further statement it has been submitted that other co-accused persons have been granted bail by this Court.

Heard learned Additional Public Prosecutor also.

Having heard both sides, in view of the facts that there is specific allegation in the F.I.R. against the petitioner that he killed the husband of the informant, I am not inclined to enlarge the petitioner, above named, on bail. Accordingly, the prayer for bail of the petitioner is rejected. However, the petitioner is in custody since 21.10.2016.

The trial court is directed to expedite the trial. With this observation, this petition is dismissed.

(Vinod Kumar Sinha, J.)

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