

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54185 of 2017

Arising Out of PS.Case No. -28 Year- 2010 Thana -RUPAULI District- PURNIA

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Damodar Mandal S/o Late Dhanpi Mandal R/o Village-Bhitha, P.S.
Bhawanipur (Akbarpur O.P), District-Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 18-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Rupouli (Akbarpur) P.S. Case No. 28 of 2010 initially registered
under Sections 147, 148, 149, 323, 325, 307, 427, 452, 379 of the
Indian Penal Code and 27 of the Arms Act and subsequently
added with Section 302 of the IPC.

The petitioner along with co-accused Sridhar
Mandal and Anil Mandal are said to have resorted firing
descending at the house of the informant and other co-accused
persons assaulted his father by means of lathi resultantly his
father became injured and succumbed to his injury during the
course of treatment after 23 days.

It is submitted by learned counsel for the petitioner
that the allegation levelled against the petitioner is not specific



rather omnibus. The deceased has not sustained fire arm injury as doctor has not found any fire arm injury on the person of the deceased while conducting autopsy of the cadaver of the deceased. Similarly situated co-accused namely, Sridhar Mandal, Anil Mandal along with Patri Devi have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 14.12.2010 passed in Cr. Misc. no. 43752 of 2010. The petitioner has been languishing in custody since 04.08.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Vth Additional District and Sessions Judge, Purnea in connection with Rupouli (Akbarpur) P.S. Case no. 28 of 2010.

(Prakash Chandra Jaiswal, J)

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