

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38822 of 2016

Arising Out of PS.Case No. -186 Year- 2014 Thana -KURSELA District- KATIHAR

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1. Yogendra Mandal Son of Late Pami Mandal Resident of village - Chai
Tola, Police Station Kursela, District - Katihar

.... Petitioner/s

Versus

1. 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. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 08-02-2017 Heard both sides.

The petitioner seeks bail in Kursela P.S. Case No. 186
of 2014, corresponding to S.Tr. No. 85/2015, registered for the
offences punishable under Section 302 and other Sections of the
Indian Penal Code and 27 of the Arms Act.

The informant named seven persons and alleged that
they all surrounded him, thereafter Babloo Mandal, Ranjit Mandal,
Sanjeet Mandal, Mangan Mandal and Yogendra Mandal
(Petitioner) made indiscriminate firing, which hit on the different
parts of the body of the informant. Dilkhush Kumar also got firearm
injury and he died.

Learned counsel for the petitioner submits that the
prayer for bail of the petitioner was earlier rejected vide order



dated 06.07.2015 with observation that the trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt of a copy of this order. The trial has not yet been concluded and more than one and half years have lapsed. Similarly situated Bablu Mandal and Mangan Mandal have already been granted bail by the co-ordinate bench of this Court vide order passed in Cr. Misc. No. 30570/2015 and Cr. Misc. No. 6199/2016 respectively. The informant got only one firearm injury and the deceased also got one firearm injury. Five persons are alleged to have made indiscriminate firing, but there is no specific allegation. Similarly situated other co-accused persons have been granted bail.

Considering the facts aforesaid and the fact that the petitioner is in jail since 09.12.2014, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge IV, Katihar in connection with Kursela P.S. Case No. 186/2014.

(Prabhat Kumar Jha, J.)

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