

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51871 of 2016

Arising Out of PS.Case No. -191 Year- 2016 Thana -RUPAULI District- PURNIA

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1. SARYUG MANDAL SON OF JHUMAK MANDAL
2. BINOD MANDAL SON OF SARYUG MANDAL
3. PAPPU MANDAL @ PAPPU KR. MANDAL SON OF SARYUG MANDAL
ALL ARE RESIDENTS OF VILLAGE DUBBA TOLA, P.S. RUPAULI, DISTRICT PURNEA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR OPPOSITE PARTY/S

with

Criminal Miscellaneous No.51912 of 2016

Arising Out of PS.Case No. -191 Year- 2016 Thana -RUPAULI District- PURNIA

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NAVAL KISHORE MANDAL, SON OF BAIDYANATH MANDAL
RESIDENT OF VILLAGE - DUBHA TOLA, POLICE STATION RUPAULI IN THE DISTRICT OF PURNEA

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR OPPOSITE PARTY/S

Appearance :

(In Cr.Misc. No.51871 of 2016)

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.

For the Opposite Party/s : Mr. Sri Bharat Bhushan, APP

(In Cr.Misc. No.51912 of 2016)

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr. Sri Anil Prasad Singh, APP

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ORAL ORDER

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

3 10-02-2017 In Criminal Miscellaneous No.51912 of 2016

NAVAL Kishore Mandal is the petitioner while in Criminal Miscellaneous No.51871 of 2016 Saryug Mandal , Binod Mandal, Pappu Mandal @ Pappu Kr. Mandal are the petitioners commonly originate out of Rupauli P.S. Case No. 191/2016 on account thereof, have been heard together and are being disposed of by a common order.

Informant, father of deceased Punyanand Mandal had



recorded his fardbeyan alleging therein that in the background of land dispute coming since before, while his son Punyanand Mandal had gone to meet nature's call and as soon as reached near the house of Ruplal Mandal, was shot at whereupon they rushed, found him tossing having two firearm injuries over his person. He was lifted to hospital and during midst of way, had disclosed that other co-accused so named have encircled him while petitioner Nawal Kishore Mandal shot at twice. On account of severity of the wound deceased was referred to Purnia, where he died.

From perusal of the case diary, it is evident that all the witnesses are consistent over dying declaration given by the deceased during midst of way. Therefore, status of petitioner Nawal Kishore Mandal has been properly identified to be an assailant and on account thereof his prayer for bail is rejected. So far petitioners Saryug Mandal, Binod Mandal, Pappu Mandal @ Pappu Kr. Mandal are concerned, they each are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned A.C.J.M., Ist, Purnea in connection with Rupauli P.S. Case No.191/2016.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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