

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21058 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -SABAUR District- BHAGALPUR

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Pappu Mandal, son of Late Paro Mandal, resident of Village- Ram Nagar
Mamalkha, P.S.- Sabour, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Advocate.

For the Opposite Party : Mr. Md. Ashlam Ansari, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-05-2017 Heard both sides.

The petitioner seeks bail in Sabour P.S. Case No. 114 of 2016, corresponding to Sessions Trial No. 97 of 2017, registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant and his uncle Ram Kumar Ajad were going on a motorcycle after attending the court. When they reached near the house of Awadhesh Rajak situated in village Mamalkha, three persons namely Taira Mandal, Chhagla Mandal and Rohit Paswan came on a motorcycle. Taira Mandal fired causing injury to Ram Kumar Ajad, uncle of the informant and when the informant tried to save, Taira Mandal and Rohit Paswan fired upon the informant but the informant saved himself.



Learned counsel for the petitioner submits that the petitioner is not named in the FIR. There is specific allegation of firing against Taira Mandal. No specific allegation of firing is made against any other accused persons. Name of the petitioner figured in the case during course of investigation. Similarly situated co-accused Doman Mandal and another have already been granted bail vide order dated 24.04.2017 passed in Cr. Misc. No. 18409 of 2017.

Considering the facts aforesaid and the fact that name of the petitioner figured in the case during the course of investigation but in the FIR, itself, the informant made specific allegation against Taira Mandal who is said to have fired causing death of uncle of the informant, 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 Additional District and Sessions Judge VI, Bhagalpur in Sabour P.S. Case No. 114 of 2016, corresponding to Sessions Trial No. 97 of 2017.

(Prabhat Kumar Jha, J.)

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