

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2343 of 2017

Arising Out of PS.Case No. -37 Year- 2016 Thana -AKBARNAGAR District- BHAGALPUR

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Kare Mandal @ Kare Lal Mandal, S/o Uday Mandal, resident of Village-
Gangapur, P.S.- Akbarnagar, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 01-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Akbarnagar
P.S. Case No.37 of 2016 (G.R. No.1098 of 2016) registered under
Sections 341 and 307/34 of the Indian Penal Code besides Section 27 of
the Arms Act.

The accusation is that on 04.04.2016, the informant
alongwith his wife was engaged in cutting the Raincha crops. At that
time, four accused persons including the petitioner armed with gun and
pistol reached there and, thereafter, on the order of Uday Mandal, this
petitioner fired from his pistol causing blood oozing injury on his
forehead. In that course, Vinod Mandal caused injury at the hand of
the informant through the butt of the pistol.



Learned counsel appearing on behalf of the petitioner submits that, in fact, due to grazing of the she-buffalo, there was hot exchange of words in between the informant and the accused persons including the petitioner but with an ulterior motive, the informant has lodged this case with false allegation. Further submission is that it would appear from the injury report of the informant, as detailed in paragraph-42 of the supplementary case diary, that one lacerated wound 1½” x 1/4” x skin deep was found on the right side of forehead and a swelling was found on the left middle forearm of the informant but the means of weapon causing the injury has not been detailed therein nor the nature of the injury no.1 has been detailed therein. The petitioner having no criminal antecedent is in custody since 12.04.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-VI, Bhagalpur, in connection with Sessions Trial No.537 of 2016, arising out of Akbarnagar P.S. Case No.37 of 2016/G.R. No.1098 of 2016.

(Rajendra Kumar Mishra, J)

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