

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39091 of 2017

Arising Out of PS.Case No. -114 Year- 2017 Thana -KODHA District- KATI HAR

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Kuldeb Mandal, son of Late Budhu Mandal, R/o Village- Chapai, P.S. K.
Nagar (Maranga), Dist-Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma

For the Opposite Party/s : Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-08-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Korha
P.S.Case No. 114 of 2017 registered for the offences punishable
under Sections 302, 120B of the Indian Penal Code and 27 of the
Arms Act.

Petitioner is named in the FIR and the case is under
Section 302 of the IPC.

Submission of learned counsel for the petitioner is that
except he was seen along with others fleeing away from the place
of occurrence there is nothing against him and there is no
allegation of firing against him. Further submission is that co-
accused has been granted bail by a co-ordinate Bench of this Court
in Cr.Misc.No. 31724 of 2017, vide order dated 24.8.2017 and
petitioner is in custody since 7.6.2017.



Heard learned APP and learned counsel for the informant. Learned counsel for the informant has opposed the prayer for bail stating that petitioner has criminal antecedent as he has been made accused in one more case and the same has not been mentioned in the petition. Learned counsel for the petitioner seeks time to file a supplementary affidavit bringing the said fact on record.

However, having heard both sides and in view of facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage.

Learned court below is directed to release the petitioner on bail either after framing of charge in this case or after completion of further two months in custody, whichever is earlier, if an application for bail is being filed by petitioner, to its own satisfaction.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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