

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72188 of 2018

Arising Out of PS. Case No.-96 Year-2016 Thana- PIRPAINTI District- Bhagalpur

DEEP NARAYAN MANDAL Son of Singeshwar Mandal Resident of
Village- Gobindpur, P.S. Pirpainty, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-12-2018

Heard both sides.

The petitioner seeks bail in Pirpainty P.S. Case No.96 of 2016 registered under Section 307 and other Sections of the Indian Penal Code and Section 27 of the Arms Act. Later on, Section 302 I.P.C. was added.

Balli Mandal, the informant named seven persons including the petitioner and alleged that accused persons came near his house and raised alarm. The informant saw Raghubir Mandal, Prayag Thakur and Pankaj Thakur were armed with pistol. When the informant came out, Raghubir Mandal began to abuse him. Kesho Mandal, Gautam Mandal, Deep Narayan Mandal and Vikram Mandal also came there and began to abuse the informant on account of land dispute. When the informant forbid not to abuse, Kesho Mandal is alleged to have fired



causing injury in the abdomen of the informant. Later on, the informant succumbed to the injuries during the course of treatment.

The learned counsel for the petitioner submits that petitioner is of course named in the F.I.R. but no specific allegation of assault is made against the petitioner. The informant got firearm injury and on account of which deceased died during the course of treatment. Pankaj Thakur and Raghubir Mandal have already granted bail.

Considering the aforesaid facts that of course petitioner is named in the F.I.R. but no specific allegation of assault is made against the petitioner and the deceased himself made specific allegation of firing against Kesho Mandal and on account of the firearm injury deceased died, let the petitioner, above named, 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 learned A.C.J.M. XI, Bhagalpur, in connection with Pirpainty P.S. Case No.96 of 2016.

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(Prabhat Kumar Jha, J)

