

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46083 of 2018

Arising Out of PS.Case No. -15 Year- 2018 Thana -EAST COLONY District- MUNGER

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1. Golu Mandal @ Uttam S/o Nageshwar Mandal @ Dinesh Mandal, R/o Vill.- Rampur (Colony), P.S.- Jamalpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.53573 of 2018

Arising Out of PS.Case No. -15 Year- 2018 Thana -EAST COLONY District- MUNGER

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1. Manish Mandal @ Manish Kumar S/o Suresh Mandal @ Surendra Kumar, R/o Vill.- Naya Tola, Keshopur, Dharhara Road, P.S.- Jamalpur, Distt.- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.46083 of 2018)

For the Petitioner/s : Mr. Kumar Kamal Nayan, Adv.

For the Opposite Party/s : Mr. B.N. Pandey, APP

(In Cr.Misc. No.53573 of 2018)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.

Mr. Narendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

4 26-09-2018

As both the abovementioned cases arise out of same

Police Station case number, they are clubbed together and are

being disposed of by this common order for the sake of

convenience.

The petitioner Golu Mandal in Cr. Misc. No.



46083/2018, seeks regular bail, whereas petitioner Manish Mandal in Cr. Misc. No. 53573 of 2018 seeks anticipatory bail in connection with East Colony P.S. Case No. 15 of 2018, registered for offences punishable under Sections 120(B), 114, 302, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that the accused persons including the petitioners of both the cases came and they started indiscriminate firing causing injury to the deceased Nandan Kumar and when Rakesh Kumar came to save him, he was also fired upon due to which he fell down and when the informant and other came to save, they have also been fired upon by Manish Mandal and in the occurrence Nandan Kumar and Rakesh Kumar Singh died.

Submission of learned counsel for the petitioner Golu Mandal in Cr. Misc. No. 46083 of 2018, is that in this case there has been dispute with respect to contractor-ship and also with respect to election. Further submission is that the petitioner has falsely been implicated in this and he is in custody since 05.03.2018.

So far submission of learned counsel for the petitioner Manish Mandal in Cr. Misc. No. 53573 of 2018 is concerned, who has come for anticipatory bail is that F.I.R. itself shows that the



allegation is of firing on the informant and other and that has not hit anybody and in the background of fact that there was dispute with respect to contractor-ship and municipal election. Further submission is that the petitioner has falsely been implicated in this case and during the trial informant has appeared and he has not supported the prosecution case.

Heard learned A.P.P. also, who has opposed the prayer for bail of both the petitioners stating that the case is of serious nature and two persons have died and the allegation against both the petitioners is of firing.

I have heard both sides and in view of the facts and circumstances as stated above, I am not inclined to grant regular bail to the petitioner Golu Mandal and anticipatory bail to the petitioner Manish Mandal.

Both the applications are accordingly dismissed.

(Vinod Kumar Sinha, J)

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