

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56549 of 2017

Arising Out of PS.Case No. -165 Year- 2017 Thana -BARHARA District- PURNIA

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1. Naresh Mohan Mandal, Son of Late Biranchi Mandal, Resident of Village- Sukhasan (Kailu Tola), P.S.- Barhara Kothi, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 11-01-2018 Heard the counsels for the petitioner, the informant and the State.

The petitioner seeks bail in connection with Barhara P.S. Case No. 165/2017 dated 23.07.2017 instituted for the offences under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The son of the informant is alleged to have been shot at and killed by the named accused persons in the F.I.R. It has been alleged that because the daughter-in-law of the informant had chosen to contest in the Panchayat elections, the petitioner, who is the erstwhile Mukhiya, was unhappy with the deceased and his wife. On the day of the occurrence, it is alleged that about 11 named accused persons, including the petitioner, came and fired at



the deceased. The deceased is said to have suffered one gun shot injury leading to his death.

During the course of investigation, one Bipin Kumar Mandal who claims to be an eye-witness has stated and whose statement has been recorded in para 28 of the case diary that one Charanjeet Mandal had fired from his weapon which led to the death of the deceased.

Learned counsel for the petitioner has submitted that there is a general and omnibus allegation against all the accused persons of firing at the deceased. The petitioner, though, is accused in several cases, but according to the learned counsel for the petitioner, he has been granted bail in all such cases. The possibility of his being falsely implicated because of his being an erstwhile Mukhiya cannot be ruled out.

One of the co-accused persons, viz. Ghanshyam Rai, has been granted bail by this Court on 08.01.2018 passed in Cr. Misc. No. 55511/2017.

The petitioner is in custody since 06.08.2017.

Regard being had to the aforesaid facts, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Chief Judicial Magistrate, Purnea in connection with Barhara P.S.
Case No. 165/2017.

(Ashutosh Kumar, J.)

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