

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56149 of 2018

Arising Out of PS. Case No.-191 Year-2016 Thana- RUPAULI District- Purnia

Pyarelal Mandal, Son of Baidhnath Mandal @ Baijnath Mandal, resident of
Village- Dubha tola, Police Station- Rupauli, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Madhuranand Jha

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-10-2018 Heard the learned counsel for the petitioner
and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Rupauli P.S. Case No. 191 of 2016 dated 19.09.2016, instituted for the offences under Sections 302/34, 35 and 120-B of the Indian Penal Code and Section 27 of the Arms Act.

The son of the informant, while coming back after attending the call of nature, was allegedly surrounded by many persons including the petitioner. Whereafter, he was fired at by one Nawal Kishore Mandal, leading to his death.

The aforesaid facts were alleged by the deceased while he was being taken to the hospital by the informant who is the father of the deceased.



Learned counsel for the petitioner has submitted that admittedly there is a land dispute between the petitioner and the informant as well as the deceased, and taking advantage of the death of the deceased, all persons with whom the informant had an axe to grind, has been made accused.

In any view of the matter, even if the statement of the informant is to be believed that the deceased while being taken to the hospital had named the petitioner also, the act of firing is only saddled on Nawal Kishore Mandal.

Taking this fact into account, one co-accused with similar allegation, namely, Sudhir Mandal has been granted anticipatory bail by a Bench of this Court in Cr. Misc. No. 55757 of 2018 by order dated 28.09.2018.

Considering the aforesaid facts as also taking into account that the petitioner does not have any criminal antecedent, the petitioner above-named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1st, Purnea in connection with Rupauli P.S.



Case No. 191 of 2016 (G.R. No. 3051 of 2016),
subject to the conditions as laid down under Section 438
(2) Cr.P.C.

(Ashutosh Kumar, J)

skm/-

U			
---	--	--	--

