

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23589 of 2019

Arising Out of PS. Case No.-170 Year-2018 Thana- BARIYARPUR District- Munger

1. RAJ KUMAR MANDAL Son of Late Bashant Mandal
 2. Shankar Mandal Son of Raj Kumar Mandal @ Haweli Mandal
 3. Shambhu Mandal Son of Raj Kumar Mandal @ Haweli Mandal
- Both are Resident of Village - Antram Tola, Vijay Nagar, P.S.- Bariyarpur,
Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyajeet Pandey, Advocate.
Mr. Anurag Saurav
For the Opposite Party/s : Mr. Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 02-08-2019 The petitioners apprehend their arrest in connection with
Bariarpur P. S. Case No. 170 of 2018 registered under Sections
307,323,341 and 504/34 of the Indian Penal Code and 27 of the
Arms Act.

Allegation against the petitioners, as per FIR, is that
petitioner no. 1 gave order to his son Pinka Mandal @ Pankaj to
fire upon the informant upon which he fired upon him but bullet
did not hit the informant. It has further been alleged that
Shambhu Mandal fired upon Bittu Kumar, but did not hit him
also.

Learned counsel appearing on behalf of the petitioners



submits that petitioners are innocent and they have been implicated in this case due to political rivalry. He further submits that petitioners have been implicated on the basis of concocted story inasmuch as prior to the present FIR, son of petitioner no. 1 had filed an informatory petition before the Chief Judicial Magistrate, Munger stating therein that informant and others would try to implicate the petitioners in a false case lodged by them. Learned counsel further submits that firing allegedly made by Pankaj and Shambhu Mandal did not hit anybody.

After having heard learned counsel for the parties and taking into consideration the fact that Pinka @ Pankaj is not petitioner here and Raj Kumar Mandal, petitioner no. 1, is an order giver and firing allegedly made by Shambhu Mandal which did not hit anybody, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Munger in connection with Bariyarpur P.S. Case No. 170



of 2018; subject to condition as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

U		T	
---	--	---	--

