

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18281 of 2019

Arising Out of PS. Case No.-440 Year-2018 Thana- GOPALPUR District- Bhagalpur

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ASHOK MANDAL Son of Siyaram Mandal, Resident of Village- Katchira,
Police Station- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.Manish Kumar No2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-05-2019 Heard learned counsel for the parties.

The petitioner seeks regular bail in connection with Gopalpur P.S.Case No.440 of 2018 , registered for offences punishable under Sections 147, 148, 149, 302 of the Indian Penal Code and Section 27 of the Arms Act.

Written report discloses that the allegation is that the informant heard sound of firing and on that he came out from his house and saw that his father-in-law is wriggling due to fire arm injury and also saw the petitioner and other accused persons fleeing away .

Submission of the learned counsel for the petitioner is that except allegation that he was seen fleeing away, there is no other allegation against him and as a matter of fact that one co-villager has lodged a case against the informant, which will appear from Annexure-3 and in that case the petitioner is a witness and it has also been submitted that the petitioner is suffering from mental diseased and he is in custody for six



months. Further submission is that one co-accused having similar allegation has been granted privilege of anticipatory bail, vide order dated 1.5.2019 passed in Cr. Misc. No.28321 of 2019 by a Co-ordinate Bench of this Court.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM 1st, Naugachia in connection with Gopalpur P.S.Case No.440 of 2018.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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