

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1205 of 2019

Arising Out of PS. Case No.-80 Year-1994 Thana- BANKA District- Banka

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Mukesh Mandal Son of Late Dinesh Mandal, Resident of village-Launa,
Police Station-Tarapur, District-Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 07-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 147, 148, 157, 158, 307, 427, 332 of the Indian Penal Code and 25(1-b)a and 27 of the Arms Act.

The prosecution case in short is that the while the informant along with police party on secret information reached the place of occurrence, the accused persons fired on police party and thereafter indiscriminate firing took place.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.8.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case.



The name of the petitioner has come on the disclosure made by co-accused namely Arun Kumar Singh. Except for this, there is no substantive evidence to suggest his implication in the present case. There is no recovery of any incriminating articles from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The case was instituted in the year 1994. The petitioner was apprehended in connection with another case and thereafter he has been remanded in the present case on 31.8.2018. The petitioner has been absconding for long period of time.

Considering the nature of allegation, I am not inclined to grant bail to the petitioner. Prayer is rejected. The Trial Court is directed to expedite the trial within a period of nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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