

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39257 of 2019**

Arising Out of PS. Case No.-342 Year-2018 Thana- AMARPUR District-
Banka

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UPENDRA MANDAL, aged about 23 years, male, Son of Gujru Mandal @
Garaju Chauhan, Resident of Village- Bachhani, At present Resident of
Village- Kujra, P.S.- Amarpur, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Nurul Hoda, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 307, 302, 120B/34 of the Indian Penal
Code and Section 27 of the Arms Act registered in connection
with Amarpur P.S. Case No. 342 of 2018

3. It is submitted that the petitioner has been falsely
implicated and in any event similarly situated co-accused Jitendra
Kumar has been granted anticipatory bail by this Court in Cr.
Misc. No. 25303 of 2019. The petitioner claims clean antecedents.

4. Learned APP on the other hand opposes the
anticipatory bail petition, submitting that the case of the
petitioner is quite different from that of co-accused Jitendra



Kumar. A perusal of the F.I.R. discloses that the petitioner along with other co-accused persons armed with country made pistol and rifles surrounded the informant and his father and resorted to fire resulting in death of the informant's father. When the informant started running away, other co-accused persons including Jitendra Kumar are said to have fired causing injury on the leg of the informant which was however found to be not supported by the injury report which showed lacerated wound caused by hard blunt substance of simple nature.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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