

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37687 of 2019

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

1. SHANKAR MANDAL S/o Late Khelo Mandal
2. Nago Mandal S/o Late Muso Mandal
Both R/o village- Dumaria, P.S.- Gopalpur, District- Bhagalpur
3. Suresh Mandal S/o Musaharu Mandal R/o village- Karchira, P.S.- Gopalpur,
District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioners and the
State.

The petitioners seek bail in **Gopalpur P.S. Case No. 440 of 2018**, instituted for the offence under Section(s) 147, 148, 149, 302 of Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioners submits that co-accused Mehdi Mandal @ Mahendi Mandal @ Mahendra Mandal with similar allegation has already been granted bail by this Court vide order dated 1.5.2019 passed in Cr. Misc. 28321 of 2019. He further submits that there is no eye witness of the occurrence.

In the written report it is alleged that father-in-law



of the informant was sleeping outside the house on *Darwaza*. The informant heard sound of firing and came out from the house. She saw her father-in-law (since deceased) had sustained firearm injury and he was wriggling. It is further alleged that informant saw 8-10 persons including petitioner running away.

Post mortem report has been enclosed as Annexure-2 wherein the Doctor has found two firearm injuries on the person of the deceased. In the written report there is no specific allegation of causing firearm injury against the petitioners.

Petitioners are in custody since 11.3.2019 and 12.3.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-III, Naugachia, Bhagalpur**, in connection with **Gopalpur P.S. Case No. 440 of 2018**, subject to the condition that both the bailors will be close relatives of the petitioners.

(Sanjay Priya, J)

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