

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43611 of 2019

Arising Out of PS. Case No.-292 Year-2018 Thana- PIPRA District- Supaul

1. RAM KUMAR MANDAL @ BALKARAN MANDAL Son of Ramkhelavan Mandal Resident of Village-Dubiyahi, Police Station-Pipra, District-Supaul.
2. Jai Narayan Mandal @ Rudal Mandal @ Rudal Son of Late Khater Mandal Resident of Village-Dubiyahi, Police Station-Pipra, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 16-07-2019 Heard the parties.

The petitioners seek pre-arrest bail in Pipra P.S. Case No.292 of 2018 registered for the offence under Sections 147, 148, 149, 341, 323, 307,, 302 of the Indian Penal Code and Section 27 of the Arms Act.

Accusation is that on 14.12.2018 at about 1.00 P.M. the informant along with his cousin brother Upendra Mandal @ Laddu Lal Mandal was crossing the house of Jagdish Mandal, Ram Kumar Mandal was standing at his door from before then he entered the house. At that time several motor cycles were parked in front of his house. Subsequently the petitioner Ram Kumar Mandal came out of his house and



opened fire upon the cousin brother of the informant, namely, Upendra Mandal @ Laddu causing injury on his chest as a result of which he died. At that time petitioner no.2, Jai Narayan Mandal @ Rudal Mandal also fired from his rifle which crossed near the nose of the deceased Upendra Mandal. At that time 20 other named co-accused persons were also present having variously armed with weapons who had blocked the road.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the informant is not eye witness as he was not present at the time and place of occurrence rather he had called several persons for creating nusense due to land dispute and at that time firing was made from the side of the informant in which none received firearm injury.

Having heard the counsel for the parties and taking into account the nature of allegations, I am not inclined to grant privilege of pre-arrest bail. Prayer for bail of the petitioner is rejected.

(Rajendra Kumar Mishra, J)

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