

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49691 of 2019

Arising Out of PS. Case No.-559 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

BIJAY MANDAL Son of Banarsi Mandal Resident of Village - Mohanpur,
P.S.- Goradih, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 27-09-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The present petition has been filed for grant of regular bail on behalf of the petitioner in connection with Jagdishpur (Goradih) P.S. Case No. 559 of 2018 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 302 and 506 of the Indian Penal Code.

The allegation in the present case is regarding the accused persons having beaten the deceased i.e. the husband of the informant herein, with the butt of pistol and gun resulting in his death.

The learned counsel for the petitioner has submitted that there is a general and omnibus allegation levelled as against the petitioner herein and the petitioner has been falsely



implicated in the present case. It is submitted that the petitioner is having a clean antecedent and is languishing in custody since 28.03.2019.

I have heard the learned counsel for the parties and perused the materials on record and I find that there is direct and specific allegation as against the petitioner herein of beating the deceased with the butt of the pistol and gun and the informant is an eye witness to the same. I also find that on account of the aforesaid assault on the deceased by the petitioner and others, the deceased had died. The informant is also an eye witness to the occurrence and there are sufficient materials in the case diary to indicate the complicity of the petitioner in the present case as also to prima facie point out the involvement of the petitioner in the death of the deceased. Hence, I do not find any merit in the prayer of the petitioner for grant of regular bail, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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