

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67620 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- SABAUR District- Bhagalpur

1. Awadhesh Mandal, Son of Late Bhagwan Das Resident of Village- Narayanpur, Mevadas Tola, P.S.-Ismailpur, District- Bhagalpur.
2. Pintoo Mandal @ Pintoo Kumar Mandal @ Pintu Kumar Son of Sri Awadhesh Mandal Resident of Village- Narayanpur, Mevadas Tola, P.S.- Ismailpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 21-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sabour P.S. Case no. 96 of 2019, registered under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that on 09.04.2019 at about 9.30 P.M, informant Chhotu Kumar along with his brother-in-law Surendra Mandal and others were present at the door, in the meantime, six persons named in the F.I.R. including the petitioners variously armed with weapons came there and Awadhesh Mandal (petitioner No.1) made query about his



brother in law Surendra Mandal and asked to kill him. Thereafter, Gudlesh Mandal and Subhash Mandal fired upon Surendra Mandal, brother-in-law of informant, but the pellet did not hit to him, rather, the same passed touching near his right eye. Thereafter, all started firing then all entered in the house, when villagers reached there on hearing the sound of firing then all fled away from there.

Learned counsel for the petitioners submits that while petitioners are named in the F.I.R., but no specific overt act has been attributed against the petitioners. Moreso, the allegation of firing is against Gudlesh Mandal and Subash Mandal, which passed touching near the right eye of brother in law of informant. Further submission is that petitioners are co-villagers of informant and due to dirty village politics, they have falsely been implicated in this case. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Bhagalpur in connection with Sabour P.S. Case no.
96 of 2019, subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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