

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9486 of 2020

Arising Out of PS. Case No.-2 Year-2010 Thana- JAMALPUR RAIL P.S. District- Lakhisarai

GAUTAM KUMAR MANDAL @ GAUTAM MANDAL, aged about 30 years, Male, S/o Laxmi Mandal, Resident of Village- Pariya (Barel Basa), P.S.- Bariyarpur, Distt- Munger ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Adv.
For the Opposite Party : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with S. Tr. No. 220 of 2019 arising out of Jamalpur Rail P.S. Case No. 2 of 2010, registered under Sections 307, 302, 34 and 120B of the Indian Penal Code and 27 of the Arms Act.

The accusation is that informant, Pappu Mandal, was at the house of his brother-in-law, Chhiku Mandal, in village Padiya, P.S. Bariyarpur, district Munger. On 08.01.2010, in the evening Umesh Sao, villager of his brother-in-law, came and accompanied his brother-in-law and reached at a tea shop, in parking space of Bariyarpur Railway Station. At that time, Gautam Kumar Mandal (petitioner) and Ajay Kumar Mandal also came there. Thereafter, Gautam Kumar Mandal fired through his pistol at his brother-in-law, who fled away towards



south direction, thereafter, petitioner, again, fired, then, he fell down. Pato Mandal and Ajay Kumar Mandal also fired at his brother-in-law.

Learned counsel for the petitioner submits that the petitioner is in custody since 03.08.2016 and charge has already been framed in the year 2019, but, not a single witness has been examined on behalf of the prosecution.

Having regard to the facts and circumstances of the case, I am inclined to grant bail to the petitioner. The prayer for bail is **rejected**.

However, the learned Presiding Officer, Fast Track Court, II, Lakhisarai, is directed to expedite the trial of the petitioner.

(Rajendra Kumar Mishra, J)

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