

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16104 of 2020

Arising Out of PS. Case No.-87 Year-2019 Thana- MALAYPUR District- Jamui

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SUBHASH MANDAL @ SUBHASH KUMAR MANDAL S/o Ram Charan
Mandal Resident of Village-Patauna, P.S-Malaypur, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 12-11-2020 Heard learned counsel for the petitioner and the

State through Video Conferencing.

Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 307 and 120(B)/34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 17.10.2019 at about
5:45 P.M. the informant was returning to his home and when he
reached near village road at Dakshin river he heard a sound of
fire and felt some pain in his back with bleeding. When the
informant turned back, he saw the petitioner, who was loading
cartridge in his pistol. Thereafter, the informant was brought to
hospital for treatment.

It is submitted on behalf of the petitioner that
petitioner has been implicated in this case only on suspicion and



the alleged occurrence has taken place on 17.10.2019 whereas the F.I.R. has been lodged on 20.10.2019. It is further submitted that the informant has illicit relationship with the wife of the petitioner and the informant dragged the name of the petitioner in this case due to animosity and illicit relationship. It is stated by learned counsel for the petitioner in paragraph 3 of the bail petition that petitioner has got no criminal antecedent.

However, learned A.P.P. for the State has vehemently opposed the bail application and submitted that the informant had seen the petitioner when the petitioner was loading cartridge in his pistol.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant him bail. Accordingly, the bail application stands rejected.

(Prabhat Kumar Singh, J)

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