

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26597 of 2020**

Arising Out of PS. Case No.-372 Year-2019 Thana- BIHARIGANJ District- Madhepura

Rajeev Kumar Mandal @ Rajeev Kumar, Aged about 20 years, (Male), Son of Wakil Mandal, Resident of Village- Fakirna Sarauni Toli, Police Station - Bihariganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Iftexhar Mahmood

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

4      07-12-2020                      Heard Mr. Uday Chand Prasad, learned counsel for the petitioner and Mr. Md. Iftexhar Mahmood, learned counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Bihariganj P.S. Case No. 372 of 2019 registered for the offence under Section 302 / 120 (B) / 34 of the I.P.C. and Section 27 of the Arms Act.

The allegation as per the First Information Report is that husband of the informant while coming back from a feast was accosted by 05 named accused persons along with 10 unknown persons and they fired upon the husband of the informant, due to which he died.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged. He is not named in the F.I.R. Learned counsel further submits that from perusal of the F.I.R. it would be evident that specific allegation of firing is upon Navin Mandal, Mukesh Kumar, Nawal Yadav etc. and the name of the petitioner has transpired on the basis of confessional statement of the co-accused / Banti Mehra. Learned counsel further submits that except the confessional statement of the co-accused, there is no material to connect the petitioner in present offence. Learned counsel further submits that similarly situated co-accused persons whose name also transpired on the basis of confessional statement of Banti Mehra namely, Kuleshwar Mandal has been granted bail by this court in Cr. Misc. No. 15657 of 2020. Learned counsel next submits that the petitioner is in custody since 12.01.2020.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that similarly situated co -accused person has been granted bail by this court and the petitioner is in custody since 12.01.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to



the satisfaction of Sri Abhimanyu Kumar, Judicial Magistrate  
-1<sup>st</sup> Class, Udakishunganj, Madhepura in connection with  
Bihariganj P.S. Case No. 372 of 2019.

It is made clear that at the time of furnishing bail bond  
all the parties shall follow the guidelines regarding social  
distancing.

**(Anil Kumar Sinha, J)**

praful/-

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