

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28589 of 2020

Arising Out of PS. Case No.-105 Year-2019 Thana- GOPALPUR District- Bhagalpur

AKHILESH MANDAL @ AKLA MANDAL Son of Srikant Mandal Resident
of Village - Sadhua, P.S.- Rangra (Gopalpur), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv.
		Mr. Rakesh Singh, Adv
For the Opposite Party/s :		Mrs. Pushpa Sinha-2, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-11-2020 Heard Mr. Krishna Pd. Singh, learned senior
counsel for the petitioner and Mrs. Pushpa Sinha-2, Additional
Public Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Gopalpur (Rangra) PS Case No. 105/2019 registered for the
offence punishable under Sections 302/34, 342, 120(B), 147,
148, 149 of the IPC and Section 27 of the Arms Act.

3. The allegation, as per First Information Report, is
that husband of the informant after cutting grass, was carrying
the bundle on his head and, was going towards his house, in the
meantime, seven accused persons including the petitioner
variously armed, surrounded the husband of the informant and
the co-accused, namely, Tufna Yadav fired upon the back of her
husband due to which, he fell down on the ground. It is further



alleged that other accused persons caught hold of her husband and co-accused, namely, Chharpa Yadav fired on the head of the husband of the informant due to which he died.

3. Learned senior counsel for the petitioner submits that from the First Information Report, it would be evident that there is no allegation of firing upon the petitioner. Learned senior counsel further submits that specific allegation of firing is upon co-accused, Tufna Yadav and Chharpa Yadav. Learned counsel next submits that the petitioner is in custody since 13.11.2019, i.e., about more than one year.

4. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 13.11.2019, I am inclined to grant regular bail to the petitioner subject to the condition that the petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

5. Accordingly, let the petitioner, AKHILESH MANDAL @ AKLA MANDAL be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- 1st, Naugachia, Bhagalpur in



Sessions Trial No. 147/2020 in connection with Gopalpur
(Rangra) PS Case No. 105/2019.

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

(Anil Kumar Sinha, J)

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