

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28800 of 2020

Arising Out of PS. Case No.-100 Year-2018 Thana- PARBATTI District- Bhagalpur

AKHILESH MANDAL @ AKLA MANDAL S/o 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 Singh, Sr. Adv. Mr. Rakesh Singh, Adv.
For the Opposite Party/s	:	Mr. Sakeel Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner, Sri Krishna Singh, Senior Advocate and Md. Sakeel Ahmad, the learned APP for the State.

The petitioner seeks regular bail in connection with Parbatta P.S. Case No. 100 of 2018, registered for the offence punishable under Sections 307 of the Indian Penal Code and Section 27 of the Arms Act.



The case of the prosecution in brief is that on 2.11.2018, while the son of the informant was returning back to his home on the alleged date and time of occurrence, the petitioner had called him and asked about his location and as soon as the son of the informant had reached near Raghopur, Basa of Bijay Mandal, the petitioner had stopped the son of the informant and an altercation had taken place, whereafter the petitioner had fired upon the son of the informant on his rib cage resulting in the son of the informant receiving grievous injuries.

The learned Senior Counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 30.11.2019.

Per contra, the learned APP has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties and perused the materials on record from which it is apparent that the petitioner has been alleged to have fired gunshots on the son of the



informant resulting in him sustaining grievous injuries, as is also apparent from the impugned order dated 20.03.2019. This Court further finds that the petitioner is a veteran criminal / habitual offender inasmuch as he is an accused in six other criminal cases. Considering the facts and circumstances of the case as also taking into account the fact that the petitioner is the main assailant and he is having a bad criminal antecedent, I do not find the present case to be a fit case for grant of regular bail, hence, the present petition stands dismissed.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

