

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29706 of 2020

Arising Out of PS. Case No.-342 Year-2018 Thana- AMARPUR District- Banka

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BULLU MANDAL @ BULLO MANDAL Son of Late Sindhu Mandal @
Mithu Mandal Resident of Village - Maghua Bachhni, Police Station -
Amarpur, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Balram Kapri

For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-01-2021 Heard the learned counsel for the petitioner and Mr.
Ashok Kumar, the learned APP for the State.

The present petition is by way of second attempt
at the behest of the petitioner for grant of bail in connection with
Amarpur PS case no. 342 of 2018 under Sections 307, 302,
120(B)/34 of Indian Penal Code and 27 of Arms Act, inasmuch
as the earlier bail petition filed by the petitioner for grant of bail
was rejected by this Court vide order dated 10.01.2019, passed
in Cr. Misc. no. 69011 of 2018.

The allegation according to the FIR is that when
the informant and his father were returning after having taken
feast, on the way the petitioner and other accused persons,
armed with countrymade pistol and rifle, surrounded them and



fired indiscriminately due to which the father of the informant died on the spot.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 01.08.2018 and there is no progress in the trial, hence the petitioner should be granted bail, inasmuch as other co-accused persons have already been granted bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that there is specific allegation against the petitioner of firing indiscriminately upon the father of the informant resulting in his death as also considering the fact there is no change in the circumstance so as to warrant re-consideration of the prayer of the petitioner for grant of bail, I do not find any merit in the present case, as such the present petition stands dismissed.

(Mohit Kumar Shah, J)

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