

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37925 of 2020

Arising Out of PS. Case No.-280 Year-2020 Thana- LAKHISARAI District- Lakhisarai

Sajan Mandal, S/o Birju Mandal, R/o Village- Ram Nagar, P.S.- Amahara,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Rabi Bhushan, Advocate
For the S t a t e	:	Mr. Md. Nazir Ansari, APP
For the Informant	:	Mr. Rajendra Narain, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 05-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Lakhisarai (Amahara) P.S. Case No.280 of 2020 for the offence
punishable under Sections 302, 120B, 34 of the Indian Penal
Code and Section 27 of the Arms Act.

The F.I.R. states that 5-6 unknown persons along
with others have come to the house of the informant and it is
alleged that co-accused Birju Mandal has fired upon the
informant's husband. After her husband has fallen to the bullet
injury, it is alleged that other persons, including the petitioner,
have indiscriminately fired upon the husband of the informant.

Counsel for the petitioner submits that the



petitioner is in custody since 31.05.2020.

Case diary had earlier been called for. The injury report does not corroborate the allegation of firing by 15 named accused persons, as only three gun-shot injuries have been found on the victim. The victim was having at least 15 cases against him and, in fact, has been done to death elsewhere, for which the petitioner has been implicated. The specific allegation of causing the firearm injury, leading to falling of the victim is against co-accused Birju Mandal.

Mr. Rajendra Narain, learned Senior Counsel appearing for the informant and the learned APP for the State have opposed the prayer for bail. It is submitted that the petitioner is one of the named accused persons and there is allegation of indiscriminate firing against all the accused persons.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai (Amahara) P.S. Case No.280 of



2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

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

