

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37360 of 2020

Arising Out of PS. Case No.-335 Year-2019 Thana- UDAKISHUNGANJ District-
Madhepura

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Gulten Mandal aged about 55 years (Male), Son of Radhe Shyam Mandal
Resident of Village- Madhuban Teen Tenga Ward No.12, P.S.- Uda.
Kishunganj, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 01-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection
with Uda Kishunganj P.S. Case No.335 of 2019 registered for
the offence under Section 302 of the Indian Penal Code and
Section 27 of the Arms Act.

As per allegation in the FIR, while the mother of the
informant along with his younger brothers, namely, Chhaila
Bihari and Subhas Kumar were sleeping at the *Darwaja*, she
was shot dead at about 1.30 A.M. and one person was fleeing,
who was seen by his brother Chhaila Bihari and on that night,
there was high sound due to a *Baarat* party, which had come in
the village.



Learned counsel for the petitioner submits that the petitioner has committed no offence and he has falsely been implicated in this case. He further submits that the petitioner is not named in the FIR. He further submits that the informant had not disclosed the name of the petitioner at the time of lodging of the FIR but later on he disclosed the name of the petitioner which clearly shows that the petitioner has falsely been implicated in the present case.

However, learned APP for the State vehemently opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, in the event of his arrest or surrender before the court below within six weeks from today, the petitioner is directed to 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 learned ACJM, Uda- Kishunganj, Madhepura in connection with Uda-Kishunganj P.S. Case No.335 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajesh Kumar Verma, J)

Brajesh Kumar/-

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