

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40897 of 2020

Arising Out of PS. Case No.-226 Year-2019 Thana- GWALPARA District- Madhepura

DHRUV KUMAR MANDAL @ DHRUV MANDAL @ UDAY KUMAR
SON OF RAJENDRA MANDAL RESIDENT OF VILLAGE- SINDUWARI,
P.S.- GWALPARA, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Baxi S.R.P. Sinha, Sr. Advocate Rupesh Kumar, Advocate
For the Opposite Party/s	:	Ms. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-03-2021 Heard learned senior counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner has filed the instant application for grant
of regular bail in connection with Gwalpara P.S. Case no. 226 of
2019 registered under sections 302, 120B, 379 and 34 of the
Indian Penal Code and section 27 of the Arms Act.

As per allegation in the first information report, the
accused persons namely Sintu Kumar, Alok Kumar, Pranav
Kumar and Navneet Kumar came variously armed and they are
stated to have fired on the informant and others resulting in the
death of nephew of the informant.

It is submitted by learned senior counsel for the
petitioner that the petitioner was not named in the first
information report nor in the further statement of the informant.
His name transpired for the first time in the statement of witness



recorded on 28.12.2019 wherein his presence came to be mentioned and, thereafter, some overt act was also alleged against him. There is no explanation for the delay and for not having taken the name of the petitioner on the very first occasion. The petitioner is in custody since 24.2.2020 i.e. for more than one year.

The application for bail is opposed by learned Additional Public Prosecutor for the State who submits that besides there being the materials against the petitioner in the case diary, the petitioner is an accused in a number of cases.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner being in custody since 24.2.2020, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Gwalpara P.S. Case no. 226 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Udakishunganj, District Madhepura.

(Partha Sarthy, J)

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