

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39937 of 2020**

Arising Out of PS. Case No.-43 Year-2020 Thana- PIRPAINTI District- Bhagalpur

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Gopal Mandal, aged about 35 years, male, Son of Late Dhuri Mandal,  
Resudent of Village - Parsurampur Jabdi, P.S.- Pirpainti, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the State : Mr.Humayou Ahmad Khan , A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      22-03-2021                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Pirpainty  
P.S. Case No. 43 of 2020 registered for the offences punishable  
under Sections 341, 323, 448, 406, 420, 120(B), 307, 504, 506,  
34 of the Indian Penal Code.

It is alleged in the First Information Report as  
contained in Annexure-1 that in the night at about 9.40 'O' clock  
on 21.02.2020, the informant was sitting in his house along with  
his brother namely Chetan Dev Singh, then one Srinath Mandal,  
and Gopal Mandal and two unknown accused persons surrender  
both the person's the informant and his said brother at his house  
and started abusing them and when the same was objected by  
informant then Gopal Mandal pointed out his pistol and fired



upon his which hit on his neck as a result of which blood started floating and as he again became ready to fire another gun short then any how the informant and his brother fled away from there in rescued his life, then the informant was brought to Referral Hospital Pirpainty for his treatment from where he was referred to Mayaganj Hospital, but seeing the serious condition of injury, he was again referred to P.M.C.H., Patna.

The informant further claims that the reason behind the occurrence is that in the year 2015 itself when the father of the informant was alive then he had given a sum of Rs. Forty Lac to one his neighbourers namely Nishant Singh and Prashant Singh after sailing his land and in the year 2018, when the father of the informant died both the said persons Nishant Singh and Prashant Singh are not returning that amount, where as the father of the informant had transferred the sum of Rs. Forty Lac in their account because these two persons had sold the land of father of the informant to the third party and they had played role as broker.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. There is specific allegation against the petitioner who fired upon the informant and petitioner is in jail custody since 25.02.2020 and



petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition. He further submits that the informant and co-accused Prashant Singh, Nishant Singh, Gita Devi and Suman Kumari are on inimical term which has been admitted by the informant in the F.I.R.

Learned counsel for the informant submits that on the basis of confessional statement of the petitioner, he accepted that he was hired by the co-accused Prashant Singh and Nishant Singh. No incriminating article has been recovered from possession of the petitioner. Charge has been framed against the petitioner.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of Sri R.K. Mishra, learned A.C.J.M.-XI, Bhagalpur in connection with Pirpainty P.S. Case No. 43 of 2020.

**(Anjani Kumar Sharan, J)**

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