

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3281 of 2022**

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

Birju Mandal S/o Late Baldev Mandal R/o village- Ramnagar, Kishanpur,
P.S.- Amarah, District- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Sabita Devi W/o Late Niranjana Sav R/o village- Amarah, P.S. and District- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaibhava Veer Shanker

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 20-05-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

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

As per the prosecution case, this petitioner opened fire
with pistol upon the husband of informant which hit his head
and co-accused persons fired on his body, as a result of which he
fell down and succumbed to the injury.

It is submitted that no offence as alleged in the FIR
has ever taken place and he has falsely been implicated in this



case at the instance of enemies. FIR has been lodged after preparation of postmortem report. Petitioner is in custody since 13.09.2021. Investigation is complete.

Learned APP however vehemently opposed the prayer for bail and submitted that there is specific allegation of causing firearm injury which is duly supported by the postmortem report. The doctor has found three injuries caused by firearm from close range.

Considering the nature of accusation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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