

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4223 of 2022

Arising Out of PS. Case No.-60 Year-2021 Thana- ISMAILPUR District- Bhagalpur

KARE MANDAL @ PRAKASH MANDAL Son of Jiten Mandal @ Jitendra
Mandal Resident of Village - Binova, P.S. - Ismailpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 21-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Ismailpur
P.S. Case No. 60 of 2021 registered for the offences punishable under
Sections 302/34 of the Indian Penal Code read with Section 27 of the
Arms Act.

As per prosecution case, informant claims to have
found her husband Rajendra Bhagat in injured condition who told her
that Kare Mandal alias Prakash Mandal(Present Petitioner) and
others gave gun shot injury as a result of which the victim sustained
serious injury and informant took her to hospital in a serious
condition and he was put on treatment and during course of treatment
the victim died on account of fire arm injury.



Learned counsel for the petitioner submits that petitioner is in custody since 10.06.2021. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that there is no eye witness to the said occurrence. There is no specific allegation against petitioner and it is not very much clear that who is the author of crime.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner as the person in injured condition has already told that the petitioner and other made gun shot injury as a result of which victim sustained serious injury and during course of treatment he died. Postmortem report also indicated corroborates the alleged occurrence.

Considering the facts and circumstances of the case that the injured person who sustained serious injury has already told to the informant that he suffered gun shot injury from the petitioner and others and the postmortem report corroborate the same. Hence, I am not inclined to grant bail to the petitioner, accordingly, the bail petition of present petitioner stands rejected.

(Alok Kumar Pandey, J)

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