

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15994 of 2022

Arising Out of PS. Case No.-359 Year-2003 Thana- KOTWALI District- Munger

SACHIDA MANDAL @ MASTER S/o Tulsi Mandal R/o Village- Kalyan
Chak Chain Tola, P.S.- Bariyarpur, District- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Raj Kishore Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 08-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered u/s 302 and 120B of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, when the informant's uncle was going to sell vegetables near the railway track, the petitioner Sachidanand Mandal armed with pistol opened fire on the neck of his uncle and he fell down and died on the spot under conspiracy of co-accused persons.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a land dispute between the parties. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner was out of station at the time of alleged crime. The petitioner is in custody since 09.01.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner of firing on the informant's uncle due to which he died on the spot. As per the post-mortem report cause of death of the deceased is shock and hemorrhage due to above mentioned injuries caused by firearms.

Considering the aforesaid facts and circumstances of the case as well as the heinous nature and the specific allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

Learned trial Court is directed to expedite the trial and conclude the same preferably within nine months.

The bail application is rejected.

(Chandra Prakash Singh, J)

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