

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28861 of 2022

Arising Out of PS. Case No.-203 Year-2017 Thana- BANKA District- Banka

GYANDIP MANDAL @ GYANDEEP MANDAL Son of Vijay Mandal
Resident of Village - Jitarpur, Police station- Banka, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr.Binod Kumar no. 3APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Petitioner seeks regular bail in Banka P.S Case No. 203 of
2017 registered for the offences punishable under Sections 307, 427
and other allied sections of the Indian Penal Code.

The main allegation is that on the fateful day of the
alleged occurrence, a school going girl was crushed to death by a
truck and then a mob consisting of 400-500 persons gathered and at
the instigation of 4/5 persons several trucks were set on fire.

The main submissions advanced by Sri Praveen Kumar,
the learned counsel appearing for the petitioner are that petitioner is
not named in the FIR, in respect of alleged occurrence of damaging
vehicles four cases i.e. Banka P.S. no. 188/2017, Banka P.S. no.
189/2017, Banka P.S. no. 190/2017 and Banka P.S. no. 191/2017



have been lodged and the petitioner is on bail in two cases and he has been languishing in jail since 7.4.2022.

Sri Binod Kumar no.3, learned APP appearing for the State has opposed the prayer for bail.

In view of above submissions as well as custody period of the petitioner and taking into account the fact that the petitioner is not named in the FIR and at the time of alleged occurrence huge crowd assembled which committed the occurrence, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in Banka P.S Case No. 203 of 2017.

(Shailendra Singh, J)

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