

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37344 of 2022

Arising Out of PS. Case No.-433 Year-2020 Thana- FORBESGANJ District- Araria

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Pulkit Mandal @ Pulkit Kumar Mandal Son of Dukha Mandal Resident of
Village - Dakshin Maheshwari, Ward No.- 18, P.S.- Jogbani, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Forbesganj P.S. Case No. 433 of 2020 lodged under Sections
302/34 of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the present case has been
filed against 2 known and 1 unknown persons. The allegation of
murder in furtherance of common intention is there in the F.I.R.
Arms Act is also added in this case.

Learned counsel for the petitioner submits that he is
not named in the F.I.R. He submits that his name has figured in
this case on the confessional statement of Pankaj Sah with

whom he has inimical relation in support of his argument he annexed Annexure-2 in which the Pankaj Sah is the informant and the present petitioner is the accused. He submits that the confessional statement of Pankaj Sah is not believable. He has added his name in the confessional statement of the present petitioner only with a view to teach him a lesson except the said confessional statement, there is no material against the present petitioner. Learned counsel for the petitioner submits that the petitioner is in custody since 09.05.2022, charge sheet has already been filed in this case. On the point of criminal antecedent, learned counsel for the petitioner submits that there are in total 2 criminal cases pending against the present petitioner in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Araria in connection with Forbesganj P.S. Case No. 433 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other

following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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