

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49248 of 2021

Arising Out of PS. Case No.-6 Year-2020 Thana- MORKAHI District- Khagaria

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BINOD MANDAL Son of Etwari Mandal Resident of Village - Balaur, P.S.
Morkahi, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abdul Mannan Khan
		Mr.Md. Najmul Hodda
For the Opposite Party/s	:	Mr.Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-05-2022 Heard Mr. Abdul Mannan Khan, the learned counsel
for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Morkahi
P.S. Case No. 06 of 2020, G.R. No. 148A/20 instituted for the
offences under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Though the petitioner has been named in the F.I.R. as
having participated in the occurrence but he has not been
attributed with any overt act of killing the deceased. The act of
firing has been attributed to co-accused, namely, Sonu Kumar
Mandal, Shatrughan Mandal and Navin Mandal, as a result of
which, the father of the informant died.

The learned counsel for the petitioner has drawn the



attention of this Court to an order passed by a Bench of this Court on 20.02.2021 in Cr. Misc. No. 39200 of 2020, wherein two other accused persons of this case, who have also not been attributed with any specific over act of killing the deceased, have been granted bail taking into account that there was a day's delay in lodging the F.I.R. and that those persons were in custody since 20.02.2020.

Mr. Abdul Mannan Khan has submitted that there can be no distinction between the case of the petitioner and the other accused persons who have been granted bail. According to the information received by the learned counsel for the petitioner, even the trial has not substantially progressed.

Considering the afore-noted facts and submissions on behalf of the petitioner, he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Khagaria, in connection with Morkahi P.S. Case No. 06 of 2020, G.R. No. 148A/20.

(Ashutosh Kumar, J)

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