

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5523 of 2021**

Arising Out of PS. Case No.-280 Year-2020 Thana- LAKHISARAI District- Lakhisarai

Purushottam Kumar @ Gautam Mandal S/o Suresh Mahto R/o village-
Vishunpur, P.S.- Lakhisarai (Amahara O.P.), District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. A.G.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 21-01-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per F.I.R is that all the



accused persons including the petitioner surrounded the husband of the informant. It is specifically alleged against co-accused Birju Mandal that he shot fire on the husband of the informant which hit on his head, as a result of which, he fell on the ground and thereafter all the accused persons made indiscriminate firing on the body of the husband of the informant.

It is submitted by learned counsel for the petitioner that there is general and omnibus allegation against the petitioner. The specific accusation of firing is against co-accused Birju Mandal. Moreover, similarly situated co-accused Pappu Mandal has been granted privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 09.12.2021 passed in Cr. Misc. No. 4855 of 2021. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or



surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai Amahara P.S. Case No. 280 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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