

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63098 of 2021

Arising Out of PS. Case No.-98 Year-2019 Thana- BARARI District- Katihar

SUNIL KUMAR MANDAL Son of Late Jagarnath Mandal Resident of
Village - Bakharpur (West) Blu Tola, P.S.- Pirpanti, District - Bhagalpur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B)/34 of the Indian
Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 05.06.2021, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that his brother Pintu Kumar
(deceased) got a call from Md. Irsad for a talk. Thereafter, after
informing the mother, the brother of the informant left to meet Md.
Irsad. It is further alleged that informant also accompanied his
brother where petitioner with other co-accused surrounded them
armed with rifle and 303 arms. It is further alleged that on the order



of Sudama Thakur, Basuki Thakur, Sanjay Thakur, and Suman Kunwar fired upon the brother of the informant, whereas other accused also fired on the informant. It is further alleged that on seeing the occurrence, the informant fled away and his brother died at the place of occurrence.

Learned counsel for the petitioner submits that specific allegation of firing is against Basuki Thakur, Sanjay Thakur, and Suman Kunwar and as far as allegation of firing against the other accused is concerned, the same is general and omnibus in nature. Learned counsel further submits that there is no specific allegation of firing against the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted and the allegation of firing is specific against the named accused persons, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Barari (Samapur) P.S. Case No. 98 of 2019.

(Satyavrat Verma, J)

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