

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3572 of 2023

Arising Out of PS. Case No.-187 Year-2019 Thana- SHAMBHUGANJ District- Banka

NIRAJ MANDAL S/O BAISAKHI MANDAL @ VERASI MANDAL R/V-
SHYAMPUR DAKA, P.S.- SHAMBHUGANJ, DISTRICT- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 342, 323, 120(B) and 302/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, all the accused persons including the petitioner is said to have killed the son of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that similarly situated other co-accused person has already been



granted bail by a bench of this Court vide orders dated 02.06.202, 03.07.2020 and 04.06.2020, passed in Cr. Misc. No. 16771/2020, Cr. Misc. No.20629/2020 and Cr. Misc. No.82513/2019 respectively. He submits that during course of investigation, not even a single person has come forward to say that petitioner was seen having any weapon in his hand. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Shambhuganj P.S. Case No.187/2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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