

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8022 of 2023

Arising Out of PS. Case No.-68 Year-2021 Thana- BASANHI District- Saharsa

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Bhanu Mandal @ Bhanu Kumar Mandal Son Of Late Baso Mandal R/O
Village- Dotara, P.S.- Basnahi, District- Saharsa

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B, 34 of the IPC and Section 27 of the Arms Act.

The allegation against the petitioner along with co-accused persons is that armed with several weapons came at her home and started assaulting his husband. It is further alleged that in the meantime petitioner fired upon the head of the informant by means of a double barrel gun due to which her husband died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous enmity.



The informant is not an eye witness of the alleged occurrence. It is further submitted that the petitioner is languishing in judicial custody since 19.07.2022.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that there is specific allegation against the petitioner of firing upon the head of the informant's husband and as per postmortem report doctor opined cause of death due to gunshot on vital organ. It is further submitted that the petitioner has got three criminal antecedents.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner of opening fire upon the head of the deceased, resulting into his death, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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