

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12714 of 2023

Arising Out of PS. Case No.-84 Year-2022 Thana- CHAUSA District- Madhepura

NAKUL MANDAL Son of Dinesh Mandal Resident of village - Ganoul, P.S.-
Alamnagar, District – Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 394 of the Indian Penal
Code and Section 27 of the Arms Act.

The allegation is regarding two unknown miscreants
having intercepted the informant, who is working as a Delivery
Boy with Flipkart company, on 25.04.2022 at about 7:30PM,
whereafter they had snatched his motorcycle, mobile phone,
cash and amount of Rs. 8851/- and 12 articles of Flipkart
company and while fleeing away one of the miscreant had fired



gun shots in the stomach of the informant, resulting in him sustaining bullet injury.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR, the name of the petitioner has come into light, on the basis of confessional statement of co-accused Nitish Kumar, which has got no evidentiary value in the eyes of law. Nothing has been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 13.01.2023 passed in Cr. Misc. No. 59754 of 2022. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 05.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned Court
of S.D.J.M., Udakishunganj, Madhepura connection with
Chausa P.S. Case No. 84 of 2022.

(Sunil Kumar Panwar, J)

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