

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20270 of 2022

Arising Out of PS. Case No.-201 Year-2021 Thana- SABAUR District- Bhagalpur

Vinod Mandal, Male, aged about 22 years, Son of Suresh Mandal R/O
Village- Chaichak, P.S.- Sabour, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Adv. With Mr. Pravin Kumar Sinha Mr. Arvind Kumar Adv.
For the State	:	Mr. Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 04-01-2023 Heard learned senior counsel for the petitioner and learned
Additional Public Prosecutor (*for brevity 'APP'*) appearing for the
State of Bihar.

The petitioners seek bail in connection with Sabour PS
Case No. 201 of 2021, registered for the offence punishable under
Sections 363 and 365/34 of the Indian Penal Code (*for brevity*
'IPC'). Later on, charge sheet has been submitted under Sections
365, 302 and 120 of the IPC and Section 27 of the Arms Act.

The allegation is that the petitioner has called the deceased
telephonically, whereafter, he has not returned and, subsequently,
found killed by a gun shot injury.

Learned senior counsel submits that First Information
Report (*for brevity 'FIR'*) does not disclose any credible allegation
against the petitioner. The motive, which has been assigned also, does
not hold any water. It is submitted that under the circumstance the
petitioner, who has remained in custody since 16-08-2021, be



released on bail.

The learned APP representing the State has appeared. He has submitted with reference to the case diary that the allegation reveals that it is the petitioner, who had called the victim before he left his home, to be found killed later. It is submitted that the motive has also been assigned during investigation. The Call Detail Record (*for brevity* 'CDR') has been considered as well. Also there is recovery of blood stained clay from the petitioner's lands.

Considering the rival submissions, the material collected in the course of investigation, this Court, for limited consideration of the plea for bail, is inclined to accept the submissions advanced by learned APP.

This Court, for the present, is not inclined to allow the prayer for bail. Prayer is rejected.

(Madhuresh Prasad, J)

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