

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24912 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- CHANAN District- Lakhisarai

Shiv Kant Mandal @ Hari Mandal @ Shivkant Kumar Son of Ritlal Rawat @
Ritlal Mandal R/V- Gopalpur PS-Chanan Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 23-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 342, 147, 148, 149, 447, 448, 452, 323, 324, 325, 307, 379, 427 and 302 of the Indian Penal Code.

As per allegation in the FIR, on the alleged date of occurrence the informant and his son were selling goods to the customer at that time the F.I.R. named accused persons including this petitioner came there armed with pistol, rifle, rod, tangi and pulled his son Balram Kumar from his shop. Accused Nago Mandal and petitioner assaulted with butt of rifle to his son due to which he sustained injury and when the informant



came to rescue his son then other accuse persons also assaulted him. It is further alleged that during course of treatment son of the informant died.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and committed no offence. He has falsely been implicated in the present case due previous enmity. There is case and counter case between the parties. The general and omnibus allegation of assault levelled against the petitioner and other co-accused persons. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 18.12.2022.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail and submitted that the petitioner assaulted to the deceased by means of butt of the rifle.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Chanan P.S. Case No. 180 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist, Lakhisarai.

(Sunil Kumar Panwar, J)

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