

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24649 of 2023

Arising Out of PS. Case No.-3 Year-2021 Thana- KURSAILA District- Katihar

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PRAKASH MANDAL Son of Raju Mandal @ Rajju Mandal Resident of
Village - Tapuwa, P.S.- Ekchari, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-05-2023 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 of the IPC and Subsequently Sections 326, 302,
120B/34 of the Indian Penal Code were also added.

As per prosecution, the deceased Jaylal Mahto,
who is brother of the informant, was working and
assisting accused Niro Mahto in Gobrahi Diyara. On
01.01.2021, Niro Mahto informed the informant that



someone had fired shot at his brother. Later on, he sent the dead body of his brother by a boat.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner is named in the FIR nor any eye witness has stated about the complicity of the petitioner in this alleged occurrence. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 28.03.2023 passed in Cr. Misc. No. 67877 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 02.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kursela P.S. Case No. 03 of 2021 on furnishing bail bond



of Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned Sessions Judge,
Katihar, District Katihar.

(Sunil Kumar Panwar, J)

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