

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26142 of 2023

Arising Out of PS. Case No.-254 Year-2020 Thana- KAHALGAON District- Bhagalpur

BISHNU MANDAL @ VISHNU MANDAL Son of Late Sitaram Mandal
Resident of village - Saitpura, Kulkuliya, P.S. - Kahalgaon, Distt. - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant of regular bail in connection with Kahalgaon P.S. Case No 254 of 2020 dated 24.4.2020 registered for the offences punishable u/s 302, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted and committed murder of the informant's brother. When the informant and his



brother were sitting at school, in the meantime, the petitioner and the other co-accused persons came and caught hold of the informant's brother Vidhanand Shashtri and the co-accused Dhruplul Mandal fired on the stomach of the informant's brother. As a result, he fell down and became restless. Thereafter, the other co-accused persons caught hold of the informant and the co-accused Hiran Mandal fired on the informant which hit on his leg and he became injured. On hulla, they fled away. Thereafter, both the injured were taken to the hospital for treatment where the informant's brother was declared dead.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the assailant of the deceased. The specific allegation of firing is against the co-accused persons. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.11.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Kahalgaon P.S. Case No. 254 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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