

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42268 of 2023

Arising Out of PS. Case No.-470 Year-2022 Thana- BIHPUR District- Bhagalpur

Subodh Mandal Son Of Beli Mandal Resident Of Village Baisi Ps Rangra Op,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-08-2023 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 Sections 302, 120B and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, when the informant was going
to house of his *Mausi*, one Sanjiv Kumar Singh had called him on
mobile phone and insisted him to come at Mirkal Jalkar upon
which informant went and saw that FIR named accused persons
along with others 4-5 unknown persons were already present. It is
further alleged that the co-accused started firing from northern
side of the boat and due to aforesaid firing Sanjiv Kumar Singh
died on spot and the informant also got injured due to firing.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case due to dirty



village politics. The petitioner is not named in the FIR rather his name was transpired in this case on the basis of confessional statement of co-accused Drup Singh who has already been granted bail by this Court vide order dt. 12.5.2023 passed in Cr. Misc. No. 18080 of 2023. From perusal of prosecution, the specific allegation against co-accused Pappu Sharma and Avdhesh Sharma, who shot fired on the deceased, due to which he died. Moreover, the petitioner is languishing in judicial custody since 15.4.2023.

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 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 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 1st A.C.J.M., Nauachia, Bhagalpur in connection with Bihpur(Bhawanipur) P.S. case no. 470 of 2022.

(Sunil Kumar Panwar, J)

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