

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47241 of 2022

Arising Out of PS. Case No.-127 Year-2021 Thana- AKBARNAGAR District- Bhagalpur

PRASHADI MANDAL Son of Chugali Mandal @ Sukdev Mandal Resident
of Village - Kodravitta Athgama, P.S.- Bihpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sharda Nand Mishra, Advocate
	:	Mr. Dhananjay Kumar Gupta, Advocate
For the Opposite Party/s	:	Mr.Navin Kumar Pandey, APP
For the Informant	:	Mrs. Pravina Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 25-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 147,148,149,341,302,504 of IPC and 27
of Arms Act.

As per the prosecution story, the informant along with
his family member was going towards their house when the
accused persons including the petitioner herein making unlawful
assembly surrounded them and further Joginder Mandal @ Kare
Mandal fired on the chest of the informant's son, Tripurari
Kumar causing his immediate death. The allegation against the
other accused persons is of resorting to firing as also having
caught hold of the informant's son.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Allegation as alleged in the FIR is that the petitioner and his associates fired in the chest of Tripurari Kumar due to which he died on the spot.

Vide order dated 16.12.2022, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 05.01.2023 reveals that out of eight chargesheet witnesses, four prosecution witnesses have been examined.

Learned counsel for the informant and learned A.P.P. for the State, on the basis of the material available on the record and the case diary, have vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Akbarnagar P.S..Case No.127 of 2021 pending in the court of learned A.C.J.M.-1, Bhagalpur.

Prayer is refused.

(Rajesh Kumar Verma, J)

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