

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51755 of 2023

Arising Out of PS. Case No.-474 Year-2022 Thana- GOPALPUR District- Bhagalpur

ANKIT MANDAL @ ARYAN GANGOTRI SON OF SHIV MANDAL @
SHIV SHANKAR MANDAL RESIDENT OF VILLAGE DIMAHA
MANDRI TOLA P.S- GOPALPUR, DIST- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-08-2023

Heard the parties.

The petitioner is in custody in connection with Gopalpur P.S. Case No. 474 of 2022 for the offence under sections 341, 307, 385 and 34 of the Indian Penal Code lodged on 18.09.2022 by the informant, Mithlesh Choudhary.

As per the prosecution story, the allegation is that the accused persons firstly abused the informant and upon protest, amongst other, this petitioner opened fire which went over his head and they also opened fire towards the house of the informant. The further allegation is of demand of extortion.

Learned counsel for the petitioner submits that only to implicate them, this F.I.R. as is reflected from its content and the petitioner is in custody since 03.04.2023 (as stated in



paragraph 11 of the petition).

Learned APP opposes the prayer for bail stating that there is demand of extortion.

Considering the submissions put forward by the learned counsel for the petitioner as also the fact that the petitioner is in custody since 03.04.2023, F.I.R. lodged and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Naugachia, District Bhagalpur/Successor Court, in connection with Gopalpur P.S. Case No. 474 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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