

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51069 of 2023**

Arising Out of PS. Case No.-36 Year-2023 Thana- FALKA District- Katihar

Shankar Mandal @ Shankar Kr. Mandal Son Of Late Chet Narayan Mandal  
Resident Of Malhariya, P.S. - Falka (POTHIA), District - Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                           |
|----------------------------|---|---------------------------|
| For the Petitioner/s       | : | Mr. N.K. Agarwal, Sr. Adv |
|                            |   | Mr.Sanjeev Kumar Singh    |
| For the Opposite Party/s : |   | Mr.Shyameshwar Dayal      |

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      20-09-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 342, 341, 324, 307 and 302 of the Indian Penal Code.

3. As per prosecution case, co-accused persons along with this petitioner holding *Gadasa* and *axe* are alleged to have inflicted blows of *gadasa* and *axe* which hit on the head of the informant's husband causing 3 to 4 injuries and he died on the spot. When the informant and her sons came to rescue, the co-accused persons inflicted blows of sword and *dabia* on the head of the informant's son and also other co-accused person assaulted the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to land dispute. There is general and omnibus allegation has been levelled against all the accused persons including this petitioner. Nothing specific allegation has been attributed against him. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused persons have already been granted bail by the co-ordinate Bench of this Court vide order dated 08.09.2023 in Cr. Misc. No. 42599 of 2023 and order dated 01.09.2023 in Cr. Misc. No. 48065 of 2023. Moreover, the petitioner is languishing in judicial custody since 06.02.2023.

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

6. 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 Falka(Pothia) P.S. Case No. 36 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned A.C.J.M.-VII, Katihar.

**(Sunil Kumar Panwar, J)**

Shubham/-

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