

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59671 of 2023**

Arising Out of PS. Case No.-152 Year-2023 Thana- TATARPUR District- Bhagalpur

ROUSHAN MANDAL @ ROUSHAN KUMAR S/O VINOD MANDAL
R/O - PARWATTI, PS- UNIVERSITY, DIST- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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

ORAL ORDER

3 01-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The Petitioner is apprehending his arrest in a case in connection with Tatarpur (University) P.S. Case No. 152 of 2023, G.R. No. 3126 of 2023 dated 10.06.2023 registered for the offences punishable u/ss 385 and 387 read with section 34 of the Indian Penal Code and 25(1-b)a, 26 and 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have indulged in aerial firing to terrorize the residents of Labbu Pasi lane and when the police party arrived at the place of occurrence, all the three accused fled on the motorcycle and one bullet shell was recovered from



the place of occurrence.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case merely on suspicion. Learned counsel has further submitted that only one bullet shell was recovered from the place of occurrence. Learned counsel has further submitted that no one sustained any injury in the alleged firing. Similarly situated co-accused person has already been granted bail by the co-ordinate bench of this court vide order dated 30.08.2023 passed in Cr. Misc. No. 56249 of 2023. The petitioner has three other criminal cases as stated at para 3 of the bail petition.

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

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 the learned court concerned, Bhagalpur in connection with Tatarpur (University) P.S. Case No. 152 of 2023, G.R. No. 3126 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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