

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56819 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- BIHARIGANJ District- Madhepura

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PRAHALAD MANDAL @ PRAHALAD KUMAR SON OF JAGDISH
MANDAL R/O VILLAGE- KAMLA KUND CAHAI TOLA, P.S.-
BIHARIGANJ, DISTT.- MADHEPURA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 04-04-2023 Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Bihariganj P.S. Case No. 47 of 2022, registered for offence
punishable under sections 302, 120B/34 of the Indian Penal
Code and section 27 of the Arms Act.

As per allegation, three unknown persons came at the
newly constructed house of the informant and they shot dead her
husband Pradeep Kumar.

The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. There is nothing against the petitioner except his



confessional statement. He has submitted further that co-accused Sumit Kumar has also confessed his guilt and has been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 43485 of 2022 and the case of the petitioner is on similar footing. He has also submitted that the petitioner was arrested in another case and his confession was elicited. He is under custody since 30.03.2022.

On the other hand, Mr. Shailendra Kumar, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Madhepura in connection with Bihariganj P.S. Case No. 47 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for



cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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