

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61711 of 2023

Arising Out of PS. Case No.-164 Year-2022 Thana- GANGTA District- Munger

Arun Mandal S/O Upendra Mandal R/O Village- Kumarpur Ashatola, Ps.
Bariarpur, Dist. Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Mishra

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 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 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, three motorcycle borne miscreants are said to have shot fire upon the brother-in-law of the informant due to which he died. The accused miscreants are fled always after committing the offence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. It is further submitted that the one co-accused namely, Pramod Mandal confessed his guilt



and stated the co-accused Bulbul Tanti fired upon the deceased. He also named the petitioner as an accused in his confessional statement. No any consistent evidence has come against the petitioner during course of investigation. As per Annexure-2, other co-accused persons have already been granted bail by co-ordinate Bench of this Court. Moreover, the petitioner is languishing in judicial custody since 26.6.2023.

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

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Gangta P.S. Case No. 164 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Munger. n

(Sunil Kumar Panwar, J)

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