

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68267 of 2022

Arising Out of PS. Case No.-329 Year-2021 Thana- BARHARA KOTHI District- Purnia

SUNIL MANDAL SON OF LATE RAM DEV MANDAL R/O VILLAGE-
BELLA PEMU, DARGAH TOLA KANTA, P.S.- BARHARA
(RAGHUBANSH NAGAR O.P.), DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 302, 307 and 120B of the Indian
Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner along with others
is of killing the wife of the informant, when she went out from her
house to get grass.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the allegation of shooting
on the head of the deceased has been assigned to two accused
persons namely petitioner and co-accused Madhav, whereas, the
postmortem report does not supported the prosecution case.



Petitioner is languishing in judicial custody since 05.07.2022.

5. Learned APP for the State has opposed the application for bail and submitted that there is specific overt act of opening fire upon the informant's wife is against the petitioner and co-accused Madhav, due to which she succumbed to injury. He further submitted that the postmortem report has also corroborated the prosecution case and the doctor opined that the death was caused by firearms injury. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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