

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61808 of 2023

Arising Out of PS. Case No.-473 Year-2022 Thana- LAXMIPUR District- Jamui

Surendra Mandal S/O Late Kanhaiy Mandal @ Nandkishor Mandal R/O
Village- Nawkadih, P.S- Laxmipur, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh

For the Opposite Party/s : Mr.Abhay Kumar Roy

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
instituted for the offence under Sections 302/34 Indian Penal
Code and Section 27 of the Arms Act.

3. According to the FIR, the petitioner along FIR
named accused persons are alleged to have shot fire upon the
husband of the informant resulting his death.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case.
According to prosecution case, the deceased was playing card
with his friends namely, Dashrath Mandal, Shambhu Mandal
and Sanjay Tanti, but during investigation, these witnesses have
not supported the prosecution case. There is no specific overt act



of firing against the petitioner whereas, only conspiracy has been shown against him. He is languishing in judicial custody since 29.3.2023. Moreover, similarly situated co-accused namely, Prince Mishra has already been granted bail by this Court vide order dt. 1.8.2023 passed in Cr. Misc. No. 16315 of 2023 and in support of this Annexure-2 has been annexed with this petition.

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 period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jamui in connection with Laxmipur P.S. Case No. 473 of 2022.

(Sunil Kumar Panwar, J)

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