

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67139 of 2022**

Arising Out of PS. Case No.-303 Year-2021 Thana- BIHPUR District- Bhagalpur

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Makiya Mandal @ Makya Mandal @ Matuki Mandal @ Balmiki Mandal Son
of Late Anandi @ Anandi Mandal R/O Village- Amri Bishanpur, P.S.- Bihpur,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 24-02-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with Bihpur
P.S. Case No. 303 of 2021 registered for the offence under
Sections 384, 387, 323, 307, 504, 506 and 34 of the Indian
Penal Code (for short 'I.P.C.') and under Section 27 of the Arms
Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 30.08.2022.

The allegation against the petitioner is to asked for
extortion money from informant and others and while it was



refused, the firing was made with intention to cause death on working site of the informant, who is none but the Mukhiya of village panchayat of Baikatpur Dudhaila, Block- Narayanpur, District- Bhagalpur.

Learned counsel appearing on behalf of the petitioner submitted that the allegation of extortion is appearing very much general and omnibus against this petitioner. It is submitted that petitioner implicated falsely due to local disputes and differences. It is submitted that, as petitioner raised issues regarding inferior quality of materials as used in construction of the building, the present false implication was made. It is also submitted that no injury received during alleged firing. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of the nature of allegation, which is appearing very general and omnibus, where no injury received by firearms coupled with the fact that charge-sheet has already



been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bihpur P.S. Case No. 303 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-1st Naugachia, Bhagalpur/concerned Court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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