

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67670 of 2023**

Arising Out of PS. Case No.-810 Year-2021 Thana- KAHALGAON District- Bhagalpur

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Dinesh Mandal @ Dinesh Kumar Mandal S/O- Kaleshwari Mandal @ Kripa Mandal
@KAMLESHWARI Mandal R/O- Village- Saidpur Kulkuliya, P.S.- Kahalgaon, Dist.-
Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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For the Petitioner/s : Mr.Ashok Kumar No.6, Advocate
For the Opposite Party/s : Mrs.Rina Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 636 of 2023 arising out of Kahalgaon P.S. Case No. 810 of 2021 dated 25.11.2021 registered for the offences punishable u/ss 341, 323, 307 read with Section 34 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, three miscreants are alleged to have come with a view to steal the battery of the informant's truck. The informant is the khalasi of the said truck. On being objected by the informant, the accused persons brutally assaulted the informant and the co-accused Mithun Mandal fired on the informant which hit his left waist and he became injured and fell down. On hulla, all the accused persons fled away. Thereafter, the informant was taken to the hospital for treatment.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The specific allegation of firing is against the co-accused Mithun Mandal who has already been granted bail by the Coordinate Bench of this court vide order dated 02.09.2022 passed in Cr. Misc. No. 28472 of 2022. Nothing has been recovered from the possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.05.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Sessions Trial No. 636 of 2023 arising out of Kahalgaon P.S. Case No. 810 of 2021.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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