

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66207 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- FALKA District- Katihar

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KAMESHWAR MANDAL @ KAMESHWA MANDAL Son of Late Banju Mandal @ Baiju Mandal Resident of Village-Malhariya, Police Station-Falka (Pothia), District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar, Advocate
Mr. Arun Kumar Mandal, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Falka (Pothia) P.S. Case no. 36 of 2023, registered under sections 302, 307, 147, 148, 149, 341, 342 and 324 of the Indian Penal Code.

3. As per the prosecution case, the accused persons including this petitioner are said to have come variously armed with *garasa*, axe etc. and as a result of assault by them, the husband of the informant died. Other accused persons are also said to have assaulted the son of the informant.

4. It is submitted by learned counsel for petitioner that the petitioner has been falsely implicated in the case. The allegations are general and omnibus in nature. A number of co-



accused has been enlarged on bail vide orders dated 12.7.2023 passed in Cr. Misc. no. 39779 of 2023, dated 1.9.2023 passed in Cr. Misc. no. 48065 of 2023, dated 8.9.2023 passed in Cr. Misc. 42599 of 2023 and order dated 20.9.2023 passed in Cr. Misc. no.51069 of 2023.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation in the FIR, the petitioner being in custody for 8 months since 14.2.2023, charge-sheet having been submitted in the case and grant of bail to the above mentioned co-accused, the petitioner is directed to be enlarged on bail in connection with Falka (Pothia) P.S. Case no.36 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Katihar, District-Katihar.

(Partha Sarthy, J)

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