

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65019 of 2022

Arising Out of PS. Case No.-191 Year-2022 Thana- RANIGANJ District- Araria

Ghanshyam Mandal, Son of Kushai Mandal, R/o Vill.- Basgara, Ward No. 5,
P.S.- Raniganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-03-2023 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 Raniganj
P.S. Case No. 191 of 2022 registered for the offence under
Sections 448, 506, 354(D) of the Indian Penal Code and Section
25(1-b)a, 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 29.07.2022.

The allegation against the petitioner is to open fire
upon the husband of informant while both were sleeping in their
room, where allegation is of three firing, where two bullets was
alleged to be misfired and one bullet passes beside the shoulder



of the husband of informant, without causing injury.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated with present allegation due to certain neighbourhood disputes, where petitioner is the cousin brother of the husband of the informant. It is submitted that it appears highly improbable that when allegation is of firing, the recovery is appearing of live cartridge instead of empty cartridge. It is also pointed out that said live cartridge was produced by informant herself before the police. While concluding the argument, it is submitted that petitioner found involved in two more cases, where in both the cases, informant is present informant, only suggesting the oblique motive. It is also submitted that investigation of this case has already been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above as in the backdrop of allegation of three firing as alleged through FIR, the recovery/production is of one live cartridge, 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 Raniganj P.S. Case No. 191 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria/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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