

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69722 of 2022

Arising Out of PS. Case No.-127 Year-2021 Thana- AKBARNAGAR District- Bhagalpur

BHARAT MANDAL @ BHAGIRATH MANDAL S/O Late Lakhan Mandal
@ Late Lakho Mandal R/O Village- Kodrabhitta Athgama, P.S- Bihpur,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 302, 504 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the informant along with his family members were going towards their house when the accused persons including the petitioner herein making unlawful assembly surrounded them and further Joginder Mandol @Kare Mandal fired on the chest of the informant's son, Tripurari Kumar causing his immediate death. The allegation against the other co-accused persons is of resorting to firing as also having



caught hold of the informant's son.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of the FIR, it is evident that the specific allegation of firing and committing murder of the informant's son is against co-accused Joginder Mandal @Kare Mandol. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, similarly situated co-accused Makya Mandal has already been granted Bail by a co-ordinate Bench of this court vide order dated 28.9.2022 passed in Cr. Misc. No. 37745 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 27.1.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Akbarnagar P.S. Case No. 127 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-1st, Bhagalpur.

(Sunil Kumar Panwar, J)

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