

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69012 of 2022

Arising Out of PS. Case No.-73 Year-2022 Thana- SHAHKUND District- Bhagalpur

Upendra Mandal S/O Nemani Mandal R/V- Nowtoliya (Shiv Shankar Pur),
P.S.- Shah Kund, District- Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 302/34 of the Indian
Penal Code.

As per allegation in the FIR, on occasion of
Holi, the informant's son has gone to paternal house of
his wife where petitioner along with other co-accused
persons assaulted him by means of Lathi-danda and iron
rod, due to which he succumbed to injuries

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is no eye witness of the alleged occurrence. There is no specific overt act of allegation against the petitioner rather the allegation levelled against the petitioner is general and omnibus. Moreover, the petitioner is languishing in judicial custody since 20.04.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused persons have been granted Bail vide order dated 13.12.2022 and 12.01.2023, passed in Cr. Misc. No. 49514 of 2022 and 51408 of 2022 respectively, passed by co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 enlarged on bail in connection with Shah Kund P.S. Case No. 73 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 the learned C.J.M., Bhagalpur.

(Sunil Kumar Panwar, J)

subham/-

U		T	
---	--	---	--

