

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2401 of 2023

Arising Out of PS. Case No.-58 Year-2022 Thana- ANDHRAMATH District- Madhubani

KRISHNA KUMAR MANDAL Son of Shiv Nandan Mandal Resident of
Jarauli, P.S-Andhramath, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Raj Krishna Jha, Adv.
For the Opposite Party/s :	Mr.Raj Kishor Singh, APP.
	Mr. Ravi Prakash, Adv.
	Mr. Gagan Deo Yadav, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 147, 148, 149, 341, 323, 379, 427, 307, 302 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, petitioner along with other accused persons entered the informant's house and started damaging the household articles and when her husband opposed for the same, petitioner Bindeshwar Mandal fired upon him due to which his husband was died. It is further alleged that petitioner is said to have fired upon the informant due to which she sustained fire arm injury and she is under treatment.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. There is admitted land dispute between the parties. Similarly situated co-accused have been enlarged on bail by this court vide order dated 08.12.2022 passed in Cr. Misc. No. 50488. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submits that there is specific allegation against the petitioner that he fired upon the informant due to which she sustained fire arm injury.

Having regard to the facts and circumstances of the case, since there is specific overt act against the petitioner, I am not inclined to enlarge him on anticipatory bail.

The prayer for anticipatory bail of the petitioner is hereby rejected.

Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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