

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74487 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- PURAINI District- Madhepura

Sanoj Mandal @ Gurudev Mandal @ Fufa, S/o Sri Dashrath Mandal,
Resident of Village- Harinkol, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-03-2023 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 Puraini
P.S. Case No. 65/2022 registered for the offence under Sections
307 and 34 of the I.P.C. and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 06.07.2022.

The allegation against the petitioner is to open fire
alongwith unknown co-accused persons hitting bullet on the
chest of informant, while he was sitting in his shop.

Learned counsel appearing on behalf of the petitioner
submitted that name of petitioner surfaced during the course of



investigation on the basis of confessional statement of co-accused, namely, Md. Azhar Ali, in furtherance of which, no incriminating material recovered/surfaced during the course of investigation. It is further pointed out that the said co-accused, namely, Md. Azhar Ali has already been granted bail by one of the learned co-ordinate Bench of this Court vide order dated 07.02.2023 passed in Cr. Misc. No. 60444 of 2022. It is also submitted that as petitioner found involved in six criminal cases, where he is on bail in four cases, on the basis of suspicion arises out of said criminal antecedents, petitioner was also named in present case. It is also submitted that in most of the cases, name of petitioner surfaced on the basis of confessional statement as of the present case. It is also pointed out that petitioner not put on TIP as yet. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail fairly conceded that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above and by taking note of the fact that no incriminating material recovered/surfaced during the course of investigation to



connect petitioner, *prima facie*, with the present occurrence, coupled with fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Puraini P.S. Case No. 65/2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Uda Kishunganj, Madhepura/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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