

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6378 of 2024

Arising Out of PS. Case No.-209 Year-2023 Thana- BIHARIGANJ District- Madhepura

Pramod Mandal Son of Neba Mandal R/o vill - Laxmipur Bhatta, P.S. -
Barhara Kothi, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bidhanesh Misra, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioner, the State
and the informant.

2. The petitioner is apprehending arrest in connection with Bihariganj P.S. Case No. 209/2023 instituted under Sections 302 of the Indian Penal Code and section 27 of the Arms Act lodged on 16.8.2023 by the informant, Babadai Devi.

3. As per the prosecution story, the informant alleged that in the night while her husband was sleeping in his Phoos house and the informant was also sleeping nearby, three motorcycles stopped outside. Accused persons including Pramod Mandal (the petitioner herein), Awadhesh Mandal, Deepak Mandal, Mahendra Mandal, Yogendra Mandal, Binod Mandal, Ravindra Mandal and Shyam Sunder Mandal entered her house, armed variously with various arms and killed her



husband by firing upon him. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that omnibus allegation has been made against eight accused persons and in a zeal to implicate every member of the family, one Mahendra Mandal was also included as one of the accused though Mahendra Mandal died on 21.8.2023 i.e. within a week of the allegation.

5. Learned APP on the other hand submits that a bare perusal of the para-44 of the case diary would show that the Police has found the case against this petitioner to be true.

6. Earlier, the coordinate bench had called for the case which is on record and paragraph-44 put stamps on the submission of the learned APP.

7. Accordingly, the anticipatory bail stands rejected.

8. If the petitioner surrenders before the court concerned within a period of four weeks from today and prefers bail application, the Court concerned shall dispose it of on the same day.

(Rajiv Roy, J)

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