

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7580 of 2024

Arising Out of PS. Case No.-4 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Niraj Mandal @ Niraj Kumar S/O- Guddi Mandal @ Ramakant Mandal R/O-
Village- Dhanauri, P.S.- Surajgarha, Dist.- Lakhisarai. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 395 and 397 of the Indian Penal Code and Sections 25 (1-b)a, 26, 27 and 35 of the Arms Act.

3. As per allegation in the FIR, informant was sleeping in his house, in the meantime seven miscreants entered into his house and on pistol point, committed dacoity and on protest made by his bother, they assaulted him also. On gathering of family members, accused persons fled away. It is further alleged that one of the accused persons opened fire, which hit co-accused Raju Kumar, who was apprehended on spot and arms were recovered from his



possession. He disclosed the names of other accused persons of of his associates.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Neither the petitioner is named in the FIR nor put on TIP. His name has been surfaced in this case on the basis of co-accused Raju Kumar, was apprehended on spot. No looted article has been recovered from the house of the petitioner, so, no case under Section 395 of the IPC is made out against the petitioner. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 24.5.2023 passed in Cr. Misc. No. 28577 of 2023. Petitioner is languishing in judicial custody since 12.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



with two sureties of the like amount each to the satisfaction
of the learned CJM, Lakhisarai in connection with
Lakhisarai P.S. Case No. 04 of 2023.

(Sunil Kumar Panwar, J)

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