

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21345 of 2024

Arising Out of PS. Case No.-147 Year-2021 Thana- PIRPAINTI District- Bhagalpur

Kailash Mandal @ Amit Kumar Son of Sukdeo Mandal Resident of Village -
Laxman Tola, P.S. - Pirpanti, District - Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ritwik Thakur, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. By filing this application, the petitioner has renewed his prayer for regular bail in connection with Sessions Trial No. 573 of 2021 arising out of Pirpanti P.S. Case No. 147 of 2021 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307 and 302 of the Indian Penal Code. He is in custody since 16.07.2020. The petitioner has got one criminal antecedent.

3. As per the prosecution story, on 05.07.2021 while the informant and his brother Shankar Mandal were returning home, Kailash Mandal (this petitioner) fired from the gun which caused injury on the chest of his younger brother and he fell down. It is alleged that while the informant was lifting his injured brother, Bhola Mandal fired from behind which caused injury in

his left leg and he too became injured. Thereafter, the informant tried to escape and in the meantime, his brother died. It is further alleged that Chunchun Mandal assaulted the informant with *lathi* and Dilip Mandal, Jaikant Mandal, Rohit Mandal, Chamki Devi, Sarita Devi all helped them in firing.

4. Earlier, the prayer for bail of the petitioner was rejected after noticing that he is the main assailant who had fired from his gun upon chest of the younger brother of the informant.

5. Learned counsel for the petitioner submits that the petitioner is in custody since 16.07.2021 but at the same time it is informed that the trial is going on and altogether five prosecution witnesses out of eleven charge-sheet witnesses have already been examined.

6. Having regard to the seriousness of the allegations and the severity of the punishment attached to the offences alleged against the petitioner, this Court is not inclined to grant bail to the petitioner. Prayer is refused.

7. Let the trial be expedited. The learned trial court shall make all endeavours to conclude the trial as early as possible.

(Rajeev Ranjan Prasad, J)

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