

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18418 of 2024

Arising Out of PS. Case No.-117 Year-2022 Thana- ISMAILPUR District- Bhagalpur

Ratan Mandal S/O Sri Rupan Mandal R/O Village- Binoba Tola, P.S-
Ismailpur, Distt.- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2024 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 sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

3. Prosecution case in nutshell is that while the brother of informant , namely, Abhishek Kumar was going to his house, two persons came on motorcycle and snatched his mobile and fled away. It is further alleged that on 5.10.2022, when he has gone to see fair, he identified both the persons who had snatched his mobile. Upon this, one person fired upon him due to which he died on spot. When both the persons started fleeing away, one persons was caught hold by the villagers while onter person succeeded in fleeing away. On interrogation,



apprehended person disclosed his name as Ankit Kumar and the name of his associate who has fired upon the informant's brother and succeeded in fleeing away as Sonu Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner is named in F.I.R nor anything incriminating has been recovered from his conscious possession. Nothing consistent material has come against the petitioner except so- called confessional statement of co-accused Pooja Yadav @ Pujwaa, before the police which has got no evidentiary value in the eye of law. Informant is not the eye witness of the alleged occurrence. Moreover, the petitioner is languishing in judicial custody since 19.12.2023. Similarly situated co-accused Sonu Kumar has been granted bail vide order dated 28.11.2023, passed in Cr. Misc. No. 53990 of 2023 by this Court.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be



released on bail in connection with Ismailpur P.S. Case No. 117
of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand)
with two sureties of the like amount each to the satisfaction of
learned Judicial Magistrate 1st Class, Naugachia, Bhagalpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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