

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25789 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- SHAMBHUGANJ District- Banka

Jitu Kumar Mandal @ Jitendra Kumar @ Jitu Mandal son of Ajay Mandal @
Ajay Prasad Mandal Village- Karsop Ps- Shambhuganj Dist- banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Shambhuganj P.S. Case No.170 of 2023 lodged under Sections 341, 323, 379, 307, 504, 506 and 34 of the I.P.C. and later on section 302 of IPC has been added.

3. As per the prosecution case, the F.I.R. has been lodged against four named accused persons including the present petition against them there is allegation that they have assaulted the informant by different weapons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that case was initially filed under section 307 of IPC, but subsequently, section 302 of the IPC has been added in this case.

5. Counsel further submits that from the contents of F.I.R., it become very much clear that the specific allegation



against the present petitioner is that he has attacked by knife, but only on the finger of the right hand. He further submits that the specific allegation is against one accused, namely, Badal Yadav who fired by pistol in the stomach of the informant.

6. Counsel for the petitioner submits that petitioner is in custody since 07.08.2023 having four criminal antecedent pending against him in which he is on bail in all the cases. He submits that charge-sheet has already been filed in this case.

7. Learned counsel for the State opposes the prayer for bail and submits that it is true that the only allegation against the petitioner is that he has attacked on the right hand finger of the informant, but upon reading of the F.I.R.. it become crystal clear that they have committed the said offence in furtherance of their common intention.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after one year from today, if trial shall not be concluded.

(Dr. Anshuman, J.)

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