

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29645 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- BARIYARPUR District- Munger

Govind Mandal @ Govinda Mandal @ Gobinda Kumar son of shivdani
Mandal Village- Gandhipur Ps- Bariyapur Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Ranjan Kumar Jha, Advocate Ms. Diksha Kumari, Advocate
For the Opposite Party/s :		Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bariyarpur P.S. Case No. 15 of 2024 registered for the offences punishable under Sections 341, 324, 307 & 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case in brief is that on the alleged date and time of occurrence, five accused persons, including this petitioner started firing on the nephew of informant, as a result of which he sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. It is submitted that specific allegation of firing has been levelled



against Govind Mandal (petitioner), Pinka Mandal and Anil Mandal. It is next submitted that informant is not the eye witness to the alleged occurrence. Petitioner bears two criminal antecedents. It is submitted that co-accused has been enlarged on bail by this Court *vide* order dated 18-04-2024, passed in Cr. Misc. No. 27956 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that there is direct allegation of firing against the petitioner, hence, he should not be enlarged on anticipatory bail.

6. Considering the rival submissions made by the learned counsel for the parties, there being direct allegation of firing against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer is *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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