

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38753 of 2024

Arising Out of PS. Case No.-192 Year-2019 Thana- SAUR BAZAR District- Saharsa

Dhrub Mandal @ Uday Kumar Son of Rajendra Mandal R/o village-
Sinduware, P.S.- Gwalpara, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. S.R.P. Baxi Sinha, Sr. Adv
:	Mr. Rupesh Kumar, Adv
:	Mr. Laxmi Kumari, Adv
For the Opposite Party/s :	Mr. Mukesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sourbazar (Patarghat) P.S. Case No. 192 of 2019 dated 09.05.2019 registered for the offence punishable u/s 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the informant got information in the night of 8.5.2019 at about 8:00 P.M. that his father was shot dead, whereafter, he reached the place of occurrence and found that the dead body of his father was lying on the west side of the road at Lakshmipur.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R.,. The name of the petitioner has transpired on the confessional statement of the co-accused Ratan Yadav. The petitioner has 21 antecedents as stated in para 3 of the bail petition. It is further submitted that the criminal antecedents by themselves can not be basis for refusal of prayer of bail. The petitioner is in custody since 26.6.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner participated in the occurrence to kill the deceased. As per the para 33 of the case diary, the petitioner was hired to kill the deceased and he had delegated the work to one Rahul Yadav and executed his work successfully. As per the post mortem report, the caused of death is hemorrhage due to shock by fire arm injury. It is further submitted that there is 21 criminal antecedents against the petitioner out of which 8 criminal cases are similar nature of offence of murder.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner



and the same is rejected in connection with Sourbazar
(Patarghat) P.S. Case No. 192 of 2019 pending in the court of
learned Additional District Judge- II, Saharsa.

7. The application stands rejected.

(Chandra Prakash Singh, J)

Jyoti/-

U		T	
---	--	---	--

