

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52851 of 2024

Arising Out of PS. Case No.-170 Year-2022 Thana- GWALPARA District- Madhepura

Dhruv Kumar Mandal @ Dhruv Mandal @ Uday Kumar S/O- Rajendra
Mandal Village- Sinduwari PS- Gwalpara Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 04-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Gwalpara P.S. Case No. 170 of 2022, lodged on 30.07.2022,
under Section 302/34 of the Indian Penal Code and under
Section 27 of the Arms Act.

3. As per the prosecution, the informant alleged in the
FIR that her husband was shot dead by five to six accused
persons as alleged by the villagers.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He
submits that FIR has been lodged against unknown accused
persons, but in restatement his name has figured by the
informant. Counsel submits that the case has been lodged after



delay of about 24 hours. He submits that the petitioner is in custody since 02.05.2023 and only thing against him is that his criminal antecedent is not clean. There are total 21 criminal cases pending against him including the present one. Counsel for the petitioner submits that the petitioner is ready to fulfill all the conditions whatever shall be imposed.

5. Learned counsel for the State opposes the prayer for bail and submits that in the case-diary confessional statement of various accused persons have come in which they have accepted their guilt in commission of the crime. He further submits that the antecedent of the petitioner is not clean. There are in total 20 criminal cases excluding the present one and out of total 21 cases, seven cases are of Section 302 of the Indian Penal Code, therefore, this aspect may be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Hence, his prayer for bail is hereby rejected. However, liberty is granted to the petitioner that he may renew his prayer for bail one year after framing of the charge.

(Dr. Anshuman, J.)

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