

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59295 of 2024

Arising Out of PS. Case No.-288 Year-2023 Thana- RUPAULI District- Purnia

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Suman Kumar Mandal @ Suman Mandal son of Nandkishor Mandal @ Nand Kishor Mandal Resident of Laxminiya, PS -Rupauli (Mohanpur), District-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2024 Heard learned counsel for the petitioner as well as learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 447, 307, 386, 504, 506 and 34 of the IPC and Sections 27, 25(1-B)a, 26 and 35 of the Arms Act in connection with Rupauli P.S. Case No.288 of 2023.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that Kulo and Brahmchari came on a motorcycle at his home and started firing and demanded extortion of rupees five lakhs, further on hearing gun shot villagers gathered when they fled, it is next alleged that villagers handed over a fired cartridge and also disclosed that accused persons dropped the gun while



fleeing and the petitioner fled with the dropped gun.

4. The learned counsel submits that petitioner has been falsely implicated in the instant case by the informant based on disclosure made by the villagers but then the name of the villagers who disclosed the name of the petitioner, is not disclosed in the FIR, which casts an aspersion on the case of the prosecution. It is also submitted that even presuming what has been alleged is true without admitting then it is not the case of the informant that petitioner had fired, rather it is being alleged that he fled with the gun which was dropped by the accused persons who fired. It is next submitted that petitioner will not abscond rather will cooperate in the investigation.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Rupauli P.S. Case No.288 of 2023, subject to



the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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