

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60746 of 2024

Arising Out of PS. Case No.-81 Year-2022 Thana- KRITYANAND NAGAR District- Purnia

Buletar Mandal @ Buleshar Mandal @ Buleshwar Mandal, Son of Late
Fekan Mandal R/o Sant Nagar, Chanka, P.S.- K.Nagar (Champa Nagar),
District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 06-09-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with K. Nagar (Champa Nagar) P.S. Case No. 81 of 2022 dated
15.02.2022 registered for the offence(s) punishable under
Section(s) 147, 148, 149, 341, 323, 324, 325, 307, 504 and 506
of the Indian Penal Code and later on, Section 302 of IPC was
added.

3. Mr. Ajit Kumar Singh, learned counsel appearing
for the petitioner submits that in the FIR altogether ten persons
including the petitioner have been named and 30-35 persons
have been shown as unknown being involved in the commission
of the alleged occurrence. The specific allegation of assaulting



the deceased is against co-accused namely, Kiran Devi, Sundar Kumar @ Arbind Kumar and Subhas Kumar out of them Sundar Kuamr @ Arbind Kumar and Kiran Devi have been granted bail by this court vide order dated 21.09.2022 passed in Cr. Misc. No. 35401 of 2022 and while granting the relief of bail to the said co-accused, this court took into account the fact that allegations made in the FIR do not get corroboration from the medical opinion given in the postmortem report with regard to the external injuries of the deceased. Further submission is that the petitioner has got no criminal antecedent and against him there is no specific allegation in the FIR and he is simply alleged to be a member of the alleged mob and altogether more than 40 persons were alleged to have committed the alleged occurrence. It is further submitted that the investigation has been completed in respect of the main co-accused.

4. Mr. Madan Kumar, learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly taking into account the facts that in the FIR there is no specific allegation against this petitioner and altogether more than 40 persons are alleged to have committed the alleged occurrence and there is specific allegation against the three co-accused



persons named above out of them two are on bail and there is no criminal antecedent against the petitioner, in my opinion, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with K. Nagar (Champa Nagar) P.S. Case No. 81 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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