

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70334 of 2023

Arising Out of PS. Case No.-372 Year-2019 Thana- BIHARIGANJ District- Madhepura

Navin Mandal @ Ashik Raj Son Of Nawal Kishore Mandal @ Rajeev Ranjan
Mandal Resident Of Village - Sarauni Kala, Ward No.02, Police Station -
Bihariganj, District - Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-01-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant

The petitioner has prayed for bail in connection with
Bihariganj P.S. Case No. 372 of 2019 instituted for the offence
under Sections 302, 120B and 34 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegation against the petitioner along with other co-
accused persons is that they committed murder of the
informant's husband by firearm.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case
due to previous enmity between the parties. Neither the



informant is eye witness of the alleged occurrence nor any independent witness of the case. It is further submitted that the husband(deceased) of the informant had gone to take part in the feast along with one Kuleshwar Mandal but during investigation, police has not recorded the statement of witness namely, Kuleshwar Mandal. Petitioner has been remanded in this case on 12.06.2023 from Bihariganj P.S. Case No. 112 of 2023 and since then he is languishing in judicial custody.

Learned APP appearing for the state and learned counsel on behalf of the informant have opposed the prayer of regular bail and submitted that the petitioner is named in FIR and there is specific allegation against him along with other co-accused persons to commit murder of the informant's husband by firearm. During investigation, witnesses supported the prosecution case and from perusal of the postmortem report, doctor opined that the cause of death of the deceased is due to firearm injuries sustained on the body of the deceased. Petitioner has several criminal antecedents as well.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



The trial court is directed to expedite the trial and
conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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