

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72940 of 2024

Arising Out of PS. Case No.-163 Year-2022 Thana- ISMAILPUR District- Bhagalpur

Ashok Mandal, Male, aged about 48 years, Son of Sudame Mandal @ Sudami Mandal @ Sudama Mandal, Resident of Village-Chhoti Parbatta, P.S. - Ismailpur, District – Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party : Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 507 of 2024, arising out of Ismailpur P.S. Case No. 163 of 2022 dated 12.12.2022 registered for the offences punishable under Sections 363, 364 and 365/34 of the I.P.C. Later on, Section 302 of the I.P.C. was also added.

3. As per the prosecution case, the petitioner and other co-accused persons are alleged to have abducted and committed murder of the informant's husband. The informant has also alleged that prior to such incident, her son has also been shot dead at the instance of the associates of the petitioner.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is submitted that there is no specific overt act against the petitioner. There is general and omnibus allegation against the petitioner. He has no concern with the alleged offence. He is a labour and he used to live in Haryana and when he came to know about the present case and his ailing wife, he came and surrendered in the court below. The charge has already been framed in the present case. Nothing incriminating article has been recovered from his possession. The other co-accused person, Bhola Mandal, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 39958 of 2023 under order dated 12.07.2023 and the other co-accused person, Debo Mandal @ Deban Mandal, has also been granted bai by another Co-ordinate Bench of this Court vide Cr. Misc. No. 53956 of 2023 under order dated 26.09.2023, Annexed as Annexure-2 to the present bail application. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 11.06.2024.

5.Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of



the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Nawgachia, Bhagalpur, in Sessions Trial No. 507 of 2024, arising out of Ismailpur P.S. Case No. 163 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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