

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70505 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- BARIYARPUR District- Munger

Jatan Mandal Son Of Late Sahdeo Mandal Resident Of Village - Pariya, P.S. -
Bariyarpur, District - Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal (Sr. Adv.) Mr. Raj Kishore Prasad, Adv. Mr. Raj Kishor Prasad
For the Opposite Party/s :		Mr. Brajendra Nath Pandey
For the Informant		Mr. Ranjan Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Section 302/34 of the Indian Penal Code
and Section 27 of the Arms Act.

As per allegation in the FIR, informant was sitting at
his shop and heard the sound of firing. He came out and saw
that all FIR named accused persons were firing indiscriminately.
It is further alleged that co-accused Dulo Mandal fired upon
Pankaj Mandal and co-accused Vicky Mandal, Dhiraj Mandal
and Rahul Mandal fired upon Ranjan Mandal result into death
of two persons, namely, Pankaj Kumar Mandal and Ranjan



Kumar Singh.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner was only the member of mob. No specific allegation of firing is attributed to the petitioner. General and omnibus allegation has been levelled against the petitioner. Specific allegation of firing is against accused, Dulo Mandal, Vicky Mandal, Dhiraj Mandal and Rahul Mandal. No one is the eye witness of the alleged occurrence. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Chargesheet has already been submitted in this case and there is no chance of tampering with the evidence. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 14.6.2023.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner is named in the FIR. As per postmortem report, doctor opined cause of death due to fire arm injuries.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties
of the like amount each to the satisfaction of the learned Judicial
Magistrate 1st Class, Munger in connection with Bariyarpur P.S.
Case No. 112 of 2023.

(Sunil Kumar Panwar, J)

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