

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85301 of 2023

Arising Out of PS. Case No.-361 Year-2023 Thana- GOPALPUR District- Bhagalpur

PRINCE RAJ Son of Chandrashekhar Mandal Resident of Village - Harnath
Chak, P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mrs.Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in Gopalpur P.S. case No.
361 of 2023 instituted for the offences under Sections 147, 148,
149, 302, 504 and 506 of the Indian Penal Code and Section 27
of the Arms Act.

3. Prosecution allegation, in short, is that the husband
of the informant was assaulted by the co-accused persons
including the petitioner, due to which he succumbed to injury.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. The petitioner is
not named in the F.I.R. The name of the petitioner has transpired



during the course of investigation as being conspirator. There is no direction allegation levelled against the petitioner. General and omnibus allegation has been made against the petitioner. The petitioner is in custody since 09.10.2023 and has no criminal antecedent. Co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 01.03.2024 passed in Cr. Misc. No. 12693 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner, clean antecedent of the petitioner, claim based on parity and that there is no direct allegation against the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalpur P.S. case No. 361 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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