

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84667 of 2024

Arising Out of PS. Case No.-286 Year-2023 Thana- ALAMNAGAR District- Madhepura

Pappu Mandal S/O Late Sang Brashpati Mandal Resident Of Village -
Gangapur Kachahari Tola, Ward No 05, P.S- Alamnagar, (Ratwara OP),
District Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Alamnagar P.S. Case No. 286 of 2023, registered under Sections
341, 326, 307, 34 of the Indian Penal Code and Section 27 of
the Arms Act.

3. The prosecution case, in short, is that, on the
alleged date and time of occurrence, all the accused persons
including this petitioner fired upon the informant with an
intention to kill him and fled away from the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Learned counsel for the petitioner also submits that there is delay of two days in lodging the FIR. There is no specific allegation attributed against the petitioner of firing upon the informant. The allegation levelled against the petitioner is general and omnibus in nature. It is further submitted that there is no eye witness to the alleged occurrence. The petitioner has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 12.11.2024 passed in Cr. Misc. No. 286 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is further submitted that there is direct allegation against the petitioner along with other co-accused persons of stopping the alleged e-rickshaw and firing upon the informant. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall



consider and dispose of the same on its own merit without being
prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

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