

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1868 of 2024**

Arising Out of PS. Case No.-148 Year-2023 Thana- BIHARIGANJ District- Madhepura

SHRAWAN MANDAL @ SHARVAN KUMAR MANDAL SON OF
CHEGAY MANDAL @ RAM CHANDRA MANDAL R/O VILLAGE-
RAHI CHATANMA, P.S.- BIHARIGANJ, DIST.- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 08-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Bihariganj P.S. Case No.148 of 2023 registered for the offence
under Sections 506, 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Allegation against the petitioner is to have
committed murder of the father of the informant along with
other co-accused persons.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that nothing
incriminating articles have been surfaced against this petitioner,
during course of investigation, which may connect him with the



present set of occurrence. It is submitted that petitioner is a man of clean antecedent and is in custody since 01.08.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. In view of the submissions, as made above, as it appears from perusal of FIR and case diary that specific allegation as regard to causing firearm injury has been levelled against this petitioner, subsequently father of the informant died and the witnesses examined under Section 161 of the Cr.P.C. also supported the version of the FIR, where, investigation has already been concluded and charge-sheet submitted under Section 302/34 of the IPC and 25(i-b)a, 26, 27, 35 of the Arms Act against this petitioner and it also appears from perusal of postmortem report that doctor has opined cause of death of the deceased Maheshwari Mandal is Hemorrhage and shock due to rapture of tines caused by firearms Bullet injury, this Court is not inclined to grant bail to the petitioner, at present.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

(Ramesh Chand Malviya, J)

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