

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83000 of 2024

Arising Out of PS. Case No.-209 Year-2023 Thana- BIHARIGANJ District- Madhepura

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Pramod Mandal @ Pramod Kumar Son of Nebi Mandal @ Neba Lal @ Neba Lal Mandal Resident of Village- Laxmipur Bhatta, P.S.- Barhara Kothi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv
For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 04-04-2025 Heard learned counsel for the petitioner, informant and the State.

2. The petitioner makes a prayer for grant of regular bail in connection with Bihariganj P.S.Case No. 209 of 2023 registered under section 302 of the Indian Penal Code and section 27 of the Arms Act.

3. It appears from perusal of the first information report there is an allegation against as many as eight persons of having come to the house of the informant, while she was sleeping adjacent to deceased on another chouki and they opened fire. Land dispute is alleged to be the reasons for the occurrence.

4. Learned counsel for the petitioner submits that except the informant, there is no eye witness to the occurrence. It has also been submitted that though the occurrence took place



in the dead of the night between 13.8.2023-14.8.2023, the said written report as also the FIR has been lodged after substantial delay on 16.08.2023. As against the allegation of firing upon eight persons, the post mortem report would go to show that there is only one firearm injury on the person of the deceased. The petitioner also happens to be step brother of the deceased.

5. The learned counsel for the informant and the State oppose the prayer for bail stating that the accused persons have even threatened the deceased earlier.

6. However, considering the fact that the occurrence has taken place in the dead of the night and reporting of the case is not prompt and also considering that the petitioner is languishing in custody since 26.07.2024, having no criminal antecedent, the petitioner is enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 209 of 2023.

N.K/-

(Soni Shrivastava, J)

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