

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 25610 of 2022**

Arising Out of PS. Case No.-36 Year-2021 Thana- EKCHARI District- Bhagalpur

SADANAND MANDAL, SON OF LATE KRIPAL MANDAL R/O  
VILLAGE- KHAWASPUR, P.S.- EKCHARI, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                             |
|----------------------|---|-----------------------------|
| For the Petitioner/s | : | Mr. Diwakar Yadav, Advocate |
| For the State        | : | Dr. Ajeet Kumar, APP        |
| For the Informant    | : | Mr. Sanjay Kumar, Advocate  |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      12-01-2023                      Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307, 323, 341, 147 and 149 of the Indian Penal Code .

As per the prosecution case, the seven named accused persons including the petitioner herein and one Babu Lal Mandal as also two unknown accused are said to have assaulted the brother and nephew of the informant leading to their deaths.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations are general and omnibus in nature. Co-accused Babu Lal Mandal has been enlarged on bail vide order dated 17.8.2022 passed in Cr. Misc. no. 22802 of 2022. The petitioner



is in custody since 14.10.2021 and trial has already commenced.

The petitioner undertakes to cooperate in the trial.

The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that so far as grant of bail to co-accused Babu Lal Mandal is concerned, the same was obtained on incorrect submissions for which an application for cancellation has already been filed. It is further submitted that once the petitioner is enlarged on bail, he may not cooperate in the trial.

Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation against the petitioner, the petitioner being in custody since 14.10.2021 and not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 55 of 2022 (arising out of Ekchari P.S. Case no. 36 of 2021) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Bhagalpur on the following conditions:

(I) The petitioner shall remain physically present in the trial court on each date of the trial and shall cooperate in the



trial.

(II) In case the learned trial court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

**(Partha Sarthy, J)**

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