

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46900 of 2024**

Arising Out of PS. Case No.-17 Year-2020 Thana- BATH District- Bhagalpur

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Bablu Mandal @ Harendra Kumar Singh, Son of Late Nepali Mandal,  
Resident of Village - Purani Durga Asthan, P.S.- Sultanganj, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

6      02-12-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
S.T. No. 567 of 2023 arising out of Bath P.S. Case No. 17 of  
2020 lodged on 30.04.2020 under Sections 302, 201, 34 of the  
Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been  
lodged against four named accused persons excluding the  
present petitioner against whom there is a suspicion that he  
along with the named accused have killed the informant's  
husband.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He further  
submits that it has been categorically mentioned in the pleading



that on the alleged date of the occurrence the petitioner was in custody in connection with Sultangaj P.S. Case No. 340 of 2017. He further submits that the date of lodging of the F.I.R. is 30.04.2020 whereas the petitioner is in custody since 13.07.2027. The antecedent of the petitioner is not clean and only due to this reason, the police have remanded him in the present case. Learned counsel further submits that the co-accused of this case who are named in the FIR have been granted bail by this Court as well as by a co-ordinate Bench of this Court, which is annexure - 2 series. Learned counsel further submits that the charge has already been framed in this case on 01.07.2022.

4. Learned counsel for the State opposes the prayer for bail.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if charge is not framed as well as the Trial Court on being satisfied that petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as (i) Sultanganj P.S. Case No. 207/2012; (ii) Sultanganj P.S. Case No. 206/2012; (iii) Sultanganj P.S. Case No. 111/2013; (iv)**



**Sultanganj P.S. Case No. 73 of 1995 and Sultanganj P.S. Case No. 340 of 2017**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-V, Bhagalpur, in connection with S.T. No. 567 of 2023 arising out of Bath P.S. Case No. 17 of 2020, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty  
to take steps for cancellation of the bail bonds.

**(Dr. Anshuman, J)**

Ashwini/-

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