

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4073 of 2025

Arising Out of PS. Case No.-372 Year-2019 Thana- BIHARIGANJ District- Madhepura

Navin Mandal @ Naveen Mandal @ Aashik Raj Son of Sri Nawal Mandal @
Rajeev Ranjan Mandal Resident of Village- Sarauni Kala, Ward No. 2, P.S.-
Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-02-2025 1. Heard learned Senior counsel for the petitioner, Mr. V.N.P. Singh and learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 302 and 120B of the Indian Penal Code read with Section 27 of the Arms Act.
3. Learned Senior counsel for the petitioner submits that no doubt from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is alleged to be the assailant of the deceased, but then it would also manifest from reading of the FIR that informant is not an eye witness to the occurrence nor she discloses that on what basis she came to know about the occurrence or who disclosed that it was petitioner who fired twice at her husband on account of which



he fell and thereafter other accused persons fired, which casts an aspersion on the case of the prosecution, it is further submitted that the date of occurrence is 14.12.2019, the FIR came to be instituted on 15.12.2019 and was sent to the learned Trial Court on 18.12.2019 which also cast an aspersion on the case of the prosecution that efforts were made to implicate the petitioner who no doubt has antecedent of twelve cases. It is next submitted that petitioner is in custody since 22.06.2021. It is further submitted that petitioner had earlier approached this Court seeking regular bail by filing Criminal Miscellaneous No. 56809 of 2024 and the same was permitted to be withdrawn by an order dated 11.12.2024 with liberty to the petitioner to renew his prayer for bail after framing of charge. It is next submitted that charges, against the petitioner, have been framed on 24.12.2024 (Annexure-5).

4. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where



the case is pending/successor court in connection with Bihariganj P.S. Case No. 372 of 2019.

6. One of the bailors of the petitioner shall be his cousin brother, Himanshu Kumar.

7. It is made clear that if the learned Trial Court comes to a conclusion that petitioner, after his release, is trying to delay the trial in any manner in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner forthwith after recording reasons and to take all coercive steps to ensure that petitioner is behind bars.

(Satyavrat Verma, J)

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