

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7658 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- BANDHUWA KURAWA District- Banka

Bhola Mandal @ Bhola Sao S/O Late Makhan Mandal R/O Vill.- Maniyarpur,
P.S- Bandhuwakurawa, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioner and
learned counsel for the State.

2. This is the application of the petitioner seeking his regular bail in connection with Bandhuakuawa (Bandhua Kurawa) P.S. Case No. 80 of 2024 registered for the offence under Sections 103(1) and 238 of the Bharatiya Nyaya Sanhita.

3. According to the case of prosecution, the name of the deceased is Fekan Paswan. His death body was found on 13.09.2024 at about 11:50 A.M. near one Kendwa Dam. The wife of the deceased Budhani Devi lodged the report on 14.09.2024. During course of investigation, on the basis of statement of some of the witnesses, the present applicant is taken into custody on 27.09.2024 and since then he is in jail.

4. It is submitted by the learned counsel for the



petitioner that petitioner is innocent and has falsely been implicated in this case. Referring to the statement of Chandan Singh, which is available in para-70 of the case diary, it is submitted by the counsel that according to the statement of Chandan Singh, the alleged act of murder of the deceased is committed by Gagan Sah and Guddu Sah. Out of them, Gagan Sah has already been granted anticipatory bail by the Co-ordinate Bench of this Court in Cr. Misc. No. 5900 of 2025 on 17.03.2025, therefore, on these grounds, it is prayed that the petitioner may be granted benefit of bail.

5. Learned counsel for the State opposes the arguments raised by the counsel for the petitioner.

6. Heard and perused the records.

7. Perusal of the statements of the witnesses Babumani Singh and Khurshid Ansari, which is available in paragraph nos. 21 and 32 of the case diary, clearly show that they categorically stated that in the night of incident, the present applicant was present in his house and *mar-pit* was committed by him and his family members with the deceased and subsequently, the dead body of the deceased was found.

8. Looking to the above and further considering the materials available on record, at this stage, I am of the view



that it is not a case where the petitioner should be granted benefit of regular bail.

9. Accordingly, the bail petition of the petitioner is rejected.

10. However, liberty is granted to the petitioner to renew his prayer for bail after recording the statements of the aforesaid witnesses namely, Babumani Singh and Khurshid Ansari.

(Arvind Singh Chandel , J)

shailendra/-

U		T	
---	--	---	--

