

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10403 of 2025

Arising Out of PS. Case No.-96 Year-2024 Thana- SHAMPUR District- Munger

Sanoj Mandal S/O- Late Dashrath Mandal Village- Garbhu Asthan, Gopalpur,
P.S.- Shampur, Distt.-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 10818 of 2025

Arising Out of PS. Case No.-96 Year-2024 Thana- SHAMPUR District- Munger

1. Bablu Mandal @ Bablu Kumar Mandal S/o Chamak Lal Mandal R/o Village- Laxman Mandal Tola, Sathbigghi, P.S.- Shampur, District- Munger, at Present Manjhgai Dih, PS- Shampur, Distt- Munger
2. Badal Mandal @ Badal Kumar S/o Wakil Mandal R/o vill - Garbhu Asthan, Gopalpur, P.S.- Shampur, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 10403 of 2025)
For the Petitioner/s : Mr.Raj Kumar Choudhary, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP
(In CRIMINAL MISCELLANEOUS No. 10818 of 2025)
For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 19-06-2025 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in a case registered for

the offences under Section 103(I)/3/5 of B.N.S.S.



3. As per the prosecution case, the informant has stated that around 10:00 P.M. all the named accused persons including the petitioner came variously armed and dragged away the brother of the informant and inflicted several injuries on account of which he died.

4. Learned counsel appearing on behalf of Sanoj Mandal submits that the petitioner has falsely been implicated in this case merely due to suspicion. Learned counsel further submits that there is no specific allegation alleged against the petitioner. It is next submitted that it was only on the ground of dispute and village politics that the petitioner has been named in this case and the prosecution story gets falsified from perusal of the statement of the wife of the deceased which has come during the course of investigation wherein she has stated that she came to know about the incident in the morning, however, as per the version in the FIR the same had come to the knowledge of the informant in the night itself. It is lastly submitted that the petitioner has clean antecedent and is in custody since 02.08.2024.

5. Learned counsel appearing on behalf of Bablu



Mandal and Badal Mandal submits that the allegation upon them is fictitious, concocted and false. It is further submitted that the deceased himself had criminal background and had criminal cases lodged against him and from the statement of the witnesses examined during the course of investigation, it would be evident that there is no eye-witness to the occurrence. It is next submitted that the version as stated in the FIR is contradicted by the statements of the witnesses during the course of investigation as contained in para '44', '45' and '46 of the case diary. It is lastly submitted that the petitioners have clean antecedent and they are in custody since 28.09.2024.

6. Learned APP for the State has opposed the prayer for bail of the petitioners and submits that there is specific allegation against the petitioners to have assaulted the brother of the informant who died due to the injuries inflicted upon him by the accused persons.

7. Considering the aforesaid facts and circumstances of the case and taking into account the contradictions in the version of the FIR and the statements of the witnesses recorded during the course of investigation,



let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) on each of them with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shampur P.S. Case No. 96/2024 subject to the conditions :-

- a. One of the bailors of the petitioners shall be their close relative.
- b. The petitioners shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners.



However, the acceptance of bail bonds in terms of the afore-mentioned order shall not be delayed for purpose of or in the name of verification.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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