

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6032 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- NATHNAGAR District- Bhagalpur

Sushil Kumar Mandal @ Sushil Mandal @ Bhinna Mandal @ Bhinna Son of
Rambilash Mandal R/o Vill- Bishanpur, P.S.- Bihpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 11948 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- NATHNAGAR District- Bhagalpur

Sanjay Mandal Son of Girish Mandal Resident of Amri Bishanpur, P.S.-
Bihpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 6032 of 2025)
For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP
(In CRIMINAL MISCELLANEOUS No. 11948 of 2025)
For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 12-05-2025 Heard learned counsel for the petitioners, learned
APP for the State and perused the case diary.

2. The petitioners seek bail in Nathnagar P.S. Case
No. 193 of 2024, instituted for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.



3. The prosecution case, in short, is that, the petitioners along with other co-accused persons hatched a conspiracy to kill the son of the informant, called him with regard to the debt of Rs. 4,00,000/- and took him on his motorcycle from his house. In the meantime, four unknown persons shot dead the son of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners are not named in the FIR. Name of the petitioners have transpired in this case on the basis of confessional statement made by co-accused, namely, Laddu Sah and the same has got no evidentiary value. So far as CCTV footage is concerned, nothing has been found against the petitioners in the CCTV footage. It is next submitted that no T.I. parade has been conducted in this case. The petitioners are in custody since 06.06.2024. In Cr. Misc. No. 6032 of 2025, petitioner has got one criminal antecedent in which he is on bail. In Cr. Misc. No. 11948 of 2025, petitioner has got no criminal antecedent.



5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is also submitted that at paragraph nos. 11 and 57 of the case diary, co-accused in their confessional statement have accepted the involvement of the petitioners in the alleged occurrence. Further, on perusal of para-13 and 62 of the case diary, there are materials regarding involvement of the petitioners in the alleged crime. It is further submitted that there is specific allegation against the petitioners of committing murder of the son of the informant. Hence, the petitioners does not deserve the privilege of bail.

6. On perusal of the report sent by the Court below, it transpires that out of seven charge-sheeted witnesses, four witnesses have been examined and rest three witnesses including official witnesses are to be examined. The trial is likely to be concluded within three months.

7. Considering the aforesaid facts and circumstances of the case, stage of trial, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioners.

8. The prayer is rejected. The trial Court is directed to expedite the Trial and conclude the same preferably within three months. However, if the trial is not concluded within a period of



three months from the date of receipt/production, the petitioners will have liberty to renew their prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

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