

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19641 of 2025

Arising Out of PS. Case No.-284 Year-2024 Thana- SINGHWARA District- Darbhanga

1. Anand Kumar Mandal S/O Bedanand Mandal @ Vedanand Mandal R/O village- Chamanpur, P.S.-Singwara, District- Darbhanga
2. Vivek Kumar Mandal S/O Bedanand Mandal @ Vedanand Mandal R/O village- Chamanpur, P.S.-Singwara, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kanchan Jha, Advocate
For the State	:	Mr. Gauri Shankar Gupta, APP
For the Informant	:	Mr. Kedar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 08-07-2025 Heard learned counsel for the petitioners and learned APP for the State as also learned counsel for the informant. Perused the case diary.

2. The petitioners seek bail in connection with Singhwara P.S. Case No. 284 of 2024 instituted for the offence under Sections 103(1), 238 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that Informant's brother Manish Kumar went out after a phone call at midnight and did not return. The next morning, Manish's dead body was found in a pond in Chamanpur village. It is alleged that unknown persons assaulted and murdered him before disposing



of the body.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 17-10-2024 & 23-10-2024, respectively. Petitioners bear no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioners are not named in the FIR and their names have surfaced in this case during investigation. There is no eye witness to the occurrence. It is alleged that petitioners' sister was found in an objectionable state with the deceased, but there is no such mention of assault by the petitioners. There is no cogent material against the petitioners. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State as also learned counsel for the Informant have vehemently opposed the prayer for grant of bail to the petitioners. It is fervently submitted that the accused petitioners was arrested during investigation and, on the basis of their statement, the deceased's mobile and Aadhaar card were recovered from a pond, as per the seizure list (paragraph No. 31 of the case diary) Further, sister of the petitioners –



belover of the deceased – in her statement recorded under Section 183 BNSS, stated that she and the deceased were making physical relationship when her brothers (petitioners herein) caught them, scolded her, and later restrained Manish (deceased) when he tried to flee. The next morning, she came to know that his dead body was found in the pond. Moreover, petitioner No.2 has confessed his guilt. As per postmortem report, injuries were caused by hard and blunt substance. Her consistent statements support the prosecution case, and therefore, petitioners do not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, there being specific allegation against the petitioners, which is corroborated by ample materials available in the case diary, this Court, at this stage, is not inclined to grant bail to the petitioners. Prayer for grant of bail to the petitioners is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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