

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1212 of 2025

Arising Out of PS. Case No.-163 Year-2023 Thana- BASANHI District- Saharsa

Mohan Mandal @ Mohan Kumar S/o- Late Lalan Mandal Village- Narhaiya
W.No-7, Ps- Basnahi Dist- Saharsa

... .. Appellant/s

Versus

1. The State of Bihar
2. Mamta Devi S/o- Late Amit Kumar Village- Narhaiya W.No-8, Ps- Basnahi Dist- Saharsa

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sameer Ranjan, Advocate

For the Respondent/s : Mr.Syed Ashfaque Ahmad, Sp.P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 19-09-2025 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

2. This appeal has been preferred against the order dated 20.12.2024 passed by the learned Additional Sessions Judge, 1st – cum-Special Judge SC/ST Act, Saharsa in connection with Special SC/ST Case No. 28 of 2024 arising out of Basnahi P.S Case No. 163 of 2023 by which the prayer of the appellant for grant of regular bail has been rejected.

3. The deceased was having illicit relationship with one of the appellants Sinku Devi. His dead body was recovered and it was suspected that Sinku Devi and other co-accused have killed the deceased.

4. Learned counsel for the appellant submits that the appellant and the informant are co-villagers. Further, co-accused Ramesh Mandal has been granted bail by this Court vide order



dated 14.03.2024 passed in Cr. Misc. No. 17956 of 2024.

5. The appellant is in custody since 14.08.2024.

6. The informant Mamta Kumari has not supported the prosecution case i.e., the allegation against the appellant.

7. Considering the facts and circumstances of the case as well as the period of custody, this appeal is allowed.

8. Accordingly, the order dated 20.12.2024 passed by the learned Additional Sessions Judge, 1st – cum-Special Judge SC/ST Act, Saharsa in connection with Special SC/ST Case No. 28 of 2024 arising out of Basnahi P.S Case No. 163 of 2023 is hereby set aside and let the appellant, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 1st – cum-Special Judge SC/ST Act, Saharsa/concerned Court below in connection with Basnahi P.S Case No. 163 of 2023, subject to condition that the appellant will cooperate in the trial.

9. The Certified copy of the deposition produced by learned counsel for the appellant is taken on record.

(Sandeep Kumar, J)

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