

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26002 of 2025

Arising Out of PS. Case No.-61 Year-2024 Thana- PARBATTAA District- Bhagalpur

=====

Jitendra Mandal S/O Late Lalit Mandal Resident of Village- Bari Alalpur,
P.S.- Parbattaa, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-05-2025 Heard the learned Advocate for the petitioner and the

learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Sessions Trial No. 41 of 2025 arising out of
Parbatta P.S. Case No. 61 of 2024, registered for the offence
punishable under Section 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. This is the second attempt made on behalf of the
petitioner, as earlier the prayer for bail of the petitioner came to
be negated by this Court vide order dated 18.12.2024 in Cr.
Misc. No. 64201 of 2024, considering the specific nature of
accusation of firing and the corroborating injury.

4. Learned Advocate for the petitioner fairly
contended that since the prayer of the petitioner has already
been turned down on merit of the case and, as such, no



submission is being made with respect to merit. However, this fact cannot be ignored that the petitioner bears fair antecedent and now he has been incarcerated since 28.03.2024, coupled with the fact that on the last occasion, while the prayer for bail of the petitioner was negated, liberty was given to the petitioner to renew his prayer for bail after framing of the charge. Referring to Annexure-4 of the bail application, it is contended that now the charges have already been framed against the petitioner, hence the present bail application.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner has actively participated in the crime and caused firing over the vital part of the brother of the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the observation made by this Court, as also the fact that charges have already been framed and now the petitioner has been incarcerated for over a period of one year, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-III, Naugachia, Bhagalpur in connection with Sessions Trial No. 41 of 2025 arising out of Parbatta P.S. Case No. 61 of 2024,



subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

shivank/-

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

