

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23559 of 2025

Arising out of PS. Case No.-549 Year-2023 Thana- BIRAUL District- Darbhanga

Shivdani Mandal, S/o Ram Bharosh Mandal, R/o-Village- Usri, P.S - Biraul,
District- Darbhaga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s: Mr. Renuka Ratnakar (APP 125)

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Biraul
P.S. Case No. 549 of 2023 instituted for the offences under Sec-
tion 302/34 of the Indian Penal Code. He has no criminal an-
tecedent.

3. The allegation upon the petitioner is that he being
an associate of one Amarjeet Mandal is said to be part of the
mob who had committed the murder of the informant's son.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and from the
perusal of the FIR it would be evident that no specific allegation
of overt act has been made against the petitioner and it has only
been stated that co-accused Amarjeet Mandal along with the pe-



petitioner and others had committed the said crime. It is lastly submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent and is in custody since 15.12.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner is one of the associate of the main accused Amarjeet Mandal who had committed the murder of the son of the informant as such he should not be released on bail.

6. Considering the aforesaid submissions of respective counsel and taking into account the fact that there is no specific allegation of assault against the petitioner and the only allegation against the petitioner is that he is an associate of main accused and the petitioner has clean antecedent and also he is in custody since 15.12.2024, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Biraul, Darbhanga in connection with Biraul P.S. Case No. 549 of 2023, subject to the the following conditions:-

(i) One of the bailors will be a



close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

(Sourendra Pandey, J)

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