

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21800 of 2025

Arising Out of PS. Case No.-157 Year-2022 Thana- BIHARIGANJ District- Madhepura

Hitesh Mandal S/O Late Akhilesh Mandal @ Akhileshwar Mandal R/O Vill.-
Sarouni, ward no. 1, Fakirva Tola, P.S.- Bihariganj, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

3 16-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Bihariganj P.S. Case No. 157 of 2022 instituted for the offence
under Section 302 of the Indian Penal Code.

3. Prosecution case in a nutshell is that petitioner
allegedly committed murder of the sister of the informant and
threw her dead body in the maize field.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 21-06-2022. Petitioner
bears no criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case because he is the husband of the deceased. It is submitted that the dead body was recovered from a maize field, and the petitioner had attempted to lodge an FIR against unknown persons, but due to local pressure and village politics, he was falsely named in the case. The petitioner shared a cordial relationship with his wife throughout their 17 years of marriage, during which no complaints were ever made against him. Learned counsel for the petitioner submits that the informant, who is not an eyewitness, has implicated the petitioner merely on suspicion without any concrete evidence, and the petitioner never had any intention to harm or kill his wife.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. As per postmortem report, cause of death is haemorrhage and shock due to sharp cutting weapon. There is direct allegation against the petitioner, hence, he does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner of committing murder of the deceased which fact is duly corroborated by the postmortem report, accordingly, this Court is not inclined to grant bail to the petitioner. Prayer for grant of



bail to the petitioner 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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