

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24453 of 2025

Arising Out of PS. Case No.-144 Year-2022 Thana- BHAPTIAHI District- Supaul

Sadanad Mandal @ Sudhir Mandal, S/O Late Ghanshyam Mandal, R/O
Village- Karjain, P.S- Karjain, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Adv.
For the Opposite Party/s	:	Mr. Mohammed Arif, Adv.
For the Informant	:	Mr. Kunal Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

4 08-08-2025 Heard the parties.

2. The application for grant of bail to the petitioner who is in custody in connection with Sessions Trial No. 58 of 2024 arising out of Bhaptiahi P.S. Case No. 144 of 2022 registered for the offence punishable under Sections 341, 323, 307, 302 and 34 of the Indian Penal Code.

3. This is the second attempt made on behalf of the petitioner, as earlier the prayer for bail of the petitioner was negated by this Court vide order dated 19.04.2024 in Criminal Miscellaneous No. 13602 of 2024 after taking into consideration the statement of the witnesses, who have categorically stated that it is the petitioner who has assaulted the deceased brother of the informant from the back side of *farsha* causing head injury, which proved fatal during the course of treatment.

4. Learned Advocate appearing on behalf of the



petitioner submitted that though the prayer for bail of the petitioner stood rejected on merit of the case and, as such, he is not making submission touching the merit of the case, however, this fact cannot be ignored that the witnesses were not the independent witnesses, rather they were close relatives to the informant. Moreover, even if the allegation leveled in the FIR taken to be true, that has been leveled against three persons and, as such, it is hard to assess that on whose assault the deceased died. He further submits that the petitioner is a man of fair antecedent and on account of land dispute, the petitioner being head of the family, his name has been implicated. Now he has been incarcerated for about two years. Learned Advocate for the petitioner lastly contended that the petitioner has been suffering from cardiac ailment and despite repeated request, he is not getting proper treatment at the level of the jail administration.

5. On the other hand, learned Additional Public Prosecutor for the State and the learned Advocate for the informant vehemently opposes the bail application and submits that apart from the specific accusation against the petitioner, now the trial is at the fag end and likely to be concluded in near future.

6. Before parting with the case, it is to be noted that pursuant to the order of this Court, the status report of the trial



has been placed before this Court. From perusal thereof, it appears that out of 8 witnesses, 6 witnesses have already been examined and the summons have been issued by the Court for procuring the attendance of remaining 2 official witnesses.

7. Having considered the materials available on record and the submissions set forth and also the fact that the trial is at the fag end and there is every likelihood that it shall be concluded within a short span of time, this Court is not acceded to the prayer of the petitioner for bail, accordingly the same stands rejected. However, this Court expects that the jail administration shall look into the medical issue of the petitioner and in case proper treatment is required, they must provide the same in accordance with law. This order must be communicated to the concerned authorities.

8. It is further expected that the learned trial Court shall take all sincere efforts to conclude the trial as early as possible. Suffice it to observe that in case the trial is not concluded within a period of 4 months from today, the petitioner shall be at liberty to renew his prayer.

(Harish Kumar, J)

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