

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29752 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- BARARI District- Katihar

1. Niranjan Mandal @ Niro Mandal S/o- Late Mangru Mandal @ Late Nangru Mandal R/o- Jagdishpur, PS - Barari, Distt- Katihar
2. Chamni Devi W/o- Niranjan Mandal @ Niro Mandal R/o- Jagdishpur, PS - Rautara, Distt- Katihar
3. Usha Devi D/o- Niranjan Mandal @ Niro Mandal R/o- Jagdishpur, PS - Rautara, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Singh, Adv
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey, APP
For the Informant	:	Mr. Pradhan Murli Manohar Prasad, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 18-08-2025 Heard learned counsel appearing on behalf of the

petitioners and learned APP appearing on behalf of the State.

2. The petitioners seeks bail in connection with Barari

P.S. Case No. 12 of 2025 registered for the offences under

Sections 103(1), 238 and 3(5) of the Bharatiya Nyaya Sanhita.

3. The petitioners are named in the F.I.R. and are in

custody since 13.01.2025.

4. The allegation against the petitioners is to commit

murder of the informant aged about 13 years along with other co-

accused persons.

5. Learned counsel appearing on behalf of the



petitioners submitted that informant is not the eye-witness of the occurrence and merely for the reason that a general threat was advanced by petitioners much prior to the occurrence, the petitioners were implicated with the present case. It is submitted that minor daughter of the informant died due to accident which also appears supporting from her post-mortem report, where reason for death is “**asphyxia as a result of obstruction in mouth and nose in mud causing suffocation and death**”. It is pointed out that there was no external injury found upon dead body, whereas tip of nose of the victim appears lost and missing due to bite of some small animals, as per post-mortem report. It is submitted that on basis of suspicion *qua* involvement of petitioners in crime in question, police apprehended petitioners and recorded their self-statement, in furtherance of which nothing incriminating recovered/surfaced, so as to connect petitioners prima-facie with the present occurrence of murder. While concluding the argument it is submitted that petitioners are of clean antecedent, where petitioner no. 2 & petitioner no. 3 are wife and daughter of petitioner no. 1 and moreover, investigation has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel



appearing on behalf of the informant, while opposing the prayer for bail submitted that petitioners being accused confessed their involvement with crime in question, but fairly conceded that no incriminating material surfaced against petitioners in furtherance of confessional statement.

7. In view of aforesaid factual submission and by taking note of fact as save and except suspicion arising out of confessional statement of petitioners, nothing incriminating surfaced during the course of investigation, as to connect these petitioners prima-facie with the present occurrence of murder, coupled with the fact as petitioners remains in custody since 13.01.2025, accordingly all above named three petitioners, are directed to be released on bail in connection with Barari P.S. Case No. 12 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Katihar/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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

