

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32459 of 2025

Arising Out of PS. Case No.-337 Year-2024 Thana- SABAUR District- Bhagalpur

Mangal Mandal S/o- Late Ghutan Mandal @ Ghuran Mandal Resident of
village- Ziyauddinpur Chouka, P.s.- Industrial, District -Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Kalyan Shankar, APP

For the Informant : Mr. Rakesh Kumar Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 16-09-2025 Heard learned counsel appearing on behalf
of the petitioner, learned APP appearing on behalf of
the State and learned counsel appearing on behalf of
the informant.

2. The petitioner seeks bail in connection with
Sabour P.S. Case No. 337/2024, registered for the
offence under Sections 103(1), 3(5) of BNS.

3. The accused/petitioner is not named in the
F.I.R. and is in custody since 02.11.2024.

4. As per FIR, named co-accused persons
alongwith unknown committed murder of son of the
informant.

5. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is not named in the
FIR and his name transpired during the course of



investigation on the basis of confessional statement of co-accused, namely, Mukesh Yadav @ M.P. Yadav, where in furtherance of said confessional statement, no incriminating material recovered/surfaced during investigation as to connect petitioner *prima facie* with present crime in question. While concluding argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, petitioner found involved in two more criminal cases, where he is on bail. It is pointed out that similarly situated co-accused persons, namely, Prabhu Mandal, Gopal Mandal and Gouri Mandal were granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 39918 of 2025 dated 20.08.2025. It is pointed out that thrust of allegation is available against co-accused, namely, Mukesh Yadav, who committed murder of son of the informant as per his confessional statement and another co-accused Sohan Mandal, who arranged the weapon for murder.

6. Learned APP duly assisted by learned counsel Mr. Rakesh Kumar Ranjan, appearing on behalf of the informant while opposing the prayer of bail



submitted that petitioner actively participated in the occurrence.

7. Considering the aforesaid factual submissions and by taking note of fact as *prima facie* save and except suspicion arising out of confessional statement of co-accused, nothing incriminating surfaced against this petitioner as to connect him with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 02.11.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Sabour P.S. Case No. 337/2024, 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.D.J.-II, Bhagalpur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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