

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33611 of 2025

Arising Out of PS. Case No.-232 Year-2020 Thana- NARPATGANJ District- Araria

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Pramod Mandal, aged about 37 years, Male, son of Baidyanath Mandal, resident of Village- Gorraha @ Garuha, Bishanpur, Ward no. 4, P.S.- Narpatganj, Dist.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Ms. Vaishnavi Singh, Advocate
		Mr. Ritwik Thakur, Advocate
For the Opposite Party/s :		Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Narpatganj PS Case No.232 of 2020 dated 28.05.2020, instituted for the offence punishable under Sections 302, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is alleged that three named accused persons including the petitioner came variously armed with lathi, firearm etc. and the accused persons assaulted the son of the informant by means of *lathi*, *danda*. It is specifically alleged that co-accused Vijay Bahardar fired upon the son of the informant, who subsequently succumbed to the injuries.



4. Learned counsel for the petitioner submits that there is specific allegation against Vijay Bahardar that he fired on the son of the informant. The allegation against the petitioner and others is that they assaulted the deceased with *lathi, danda*. It is further submitted that in the impugned order itself it is mentioned that the *post mortem* report reveals that the doctor has opined the cause of death of deceased due to haemorrhage and shock as a result of firearm injury. Further submission is that similarly situated co-accused, Sharwesh Yadav @ Sarwesh Kumar Yadav, has been granted bail by a co-ordinate Bench of this Court by order dated 15.03.2021 passed in Cr. Misc. No.37505 of 2020. Lastly, it is submitted that the petitioner is in custody since 17.12.2024 and five criminal cases are pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Araria, in Narpatganj PS Case No.232 of 2020, subject to the conditions (i) that the petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail, and (v) that the petitioner within two weeks after his release from jail custody shall appear before the SHO of local PS along with a copy of this order and thereafter shall appear every fortnightly to mark his attendance till the framing of charge in the case.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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