

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36567 of 2025

Arising Out of PS. Case No.-27 Year-2017 Thana- ISHUPUR BARAHAT District- Bhagalpur

Sunil Mandal @ Sunil Kumar Mandal @ Sunil Kumar S/O Jai Gopal Mandal
@ Jay Gopal Mandal R/O Village- Vishal, P.S- Ishipur Barahat, Distt.-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Davendra Kumar Pandey, Advocate
For the State	:	Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 08-08-2025 Heard Mr. Davendra Kumar Pandey, learned counsel
for the petitioner and Mr. Anuj Kumar Shrivastava, learned APP
for the State.

2. Petitioner seeks bail, who is in custody since
21.11.2023, in connection with Sessions Trial No. 158 of 2024
arising out of Ishipur (Barahat) P.S. Case No. 27 of 2017, F.I.R.
dated 08.05.2017 registered for the offences punishable under
Sections 328, 304(B), 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
the petitioner has clean antecedent and the petitioner is in
custody since 21.11.2023 and the trial is not in progress and co-
accused person namely Sumitra Devi has been granted bail by
this Court vide order dated 17.01.2025 passed in Cr. Misc. No.
89215 of 2024.



4. Vide order dated 11.07.2025, a report was called for with regard to the stage of the trial. The report of the learned Trial court dated 22.07.2025 reveals that there are eleven chargesheeted witnesses in the case and out of eleven chargesheeted witnesses, four witnesses have been examined.

5. Learned counsel for the petitioner referring the aforesaid report and submits that in view of the report of the learned Trial court, the trial is not concluded in near future and the petitioner is in custody since 21.11.2023.

6. The learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the F.I.R. was instituted in 2017 and petitioner surrendered in the year 2023 and he was absconding from 2017 to 2023 and due to this reason, the trial is not in progress.

7. Considering the aforesaid facts and circumstances of the case and the period of custody as well as in view of the report of the learned Trial court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-X, Bhagalpour in connection with Sessions Trial



No. 158 of 2024 arising out of Ishipur (Barahat) P.S. Case No. 27 of 2017, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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