

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36466 of 2025

Arising Out of PS. Case No.-112 Year-2023 Thana- BARIYARPUR District- Munger

Rahul Mandal Son of Mahesh Mandal Resident of Village - Pariya, P.S.-
Bariarpur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjiv Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, APP
For the Informant	:	Mr. Ranjan Kumar Jha, Advocate
		Mr. Rana Pratap Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in connection with
Bariarpur P.S. Case No. 112 of 2023, instituted for the offences
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. The prosecution case, in short, is that the informant,
sitting in his shop, heard the sound of firing. He came to know
by the passerby that his brother was murdered by gunshot.
Thereafter, the informant ran towards the place of occurrence
and saw that all the FIR named accused persons including the



petitioner were firing indiscriminately. It is further alleged that they also injured other persons including the informant. Due to this occurrence, the cousin brother of the informant and one other person died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. The petitioner has been arrested in this case only on the basis of suspicion and except suspicion there is no other material against the petitioner. The petitioner is in custody since 10.07.2024 and has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 25.02.2025 passed in Cr. Misc. No. 83936 of 2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation of firing against the petitioner along with other co-accused



persons due to which cousin brother of the informant has sustained injuries and died. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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