

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38123 of 2025

Arising Out of PS. Case No.-186 Year-2023 Thana- PIPRA District- Supaul

Badri Mandal, (M), aged about 41 years, son of Late Prayag Mandal, resident of Village- Thumha, Ward No.- 6, P.S.- Pipra, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pramod Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 18-07-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Pipra PS Case No.186 of 2023 dated 27.05.2023, instituted for the offence punishable under Sections 341, 342, 323, 147, 149, 307 and 302 of the Indian Penal Code.

3. The prosecution case, in brief, is that on the alleged date of occurrence the petitioner along with other accused named in the FIR came at the door of the informant armed with various weapons and started abusing the husband of the informant and threw him on the ground. It is further alleged that petitioner, Badri Mandal, ordered to kill him upon which co-accused Ramphal Mandal assaulted the husband of the informant on his head by means of iron rod. Petitioner, Badri



Mandal, is alleged to have assaulted the husband of the informant by means of *khanti*. Balram Mandal is alleged to have assaulted by means of *lathi*. It is further alleged that co-accused Sanjah Devi, Shivjee Mandal, Kundan Mandal and Priya Devi also assaulted on the head of the informant's husband by bricks due to which he sustained serious injuries. During course of treatment, husband of the informant died.

4. Prayer of the petitioner for bail was earlier rejected by this Court vide order dated 22.05.2024 passed in Cr. Misc. No.9718 of 2024. This is the second attempt.

5. Vide order dated 20.06.2025, a report with regard to present stage of the case and the likely time to be taken in its conclusion was called for from the trial Court which has been received and kept at flag- 'A'. The report of the trial Court discloses that one witness has been examined out of ten non-official witnesses.

6. Learned counsel for the petitioner submits that similarly situated co-accused, Ramphal Mandal and Balram Mandal have been granted anticipatory bail by this Court vide order dated 28.02.2025 passed in Cr. Misc. No.4935 of 2025. Further submission is that main allegation of assault on the head of the deceased is against Ramphal Mandal, Balram Mandal and



Badri Mandal (petitioner). Learned counsel further submits that the petitioner's case is similar to that of Ramphal Mandal and Balram Mandal. Lastly, it has been submitted that the petitioner is in custody since 17.09.2023 having clean antecedents and there is no likelihood of conclusion of trial in near future in view of the report of the trial Court.

7. Learned APP has opposed the prayer for bail.

8. 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 ADJ-VIII, Supaul, in Pipra PS Case No.186 of 2023, 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, and (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.

9. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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