

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38575 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- AMARPUR District- Banka

1. Suman Mandal @ Suman Kumar S/o Karu Mandal Resident Of Village -Chhoti , Kathail,, P.S- Amarpur, Dist- Banka
2. Raman Mandal @ Raman Kumar S/O Karu Mandal Resident Of Village -Chhoti, Kathail , P.S- Amarpur, Dist- Banka
3. Soljar Kumar S/O Prahlad Mandal Resident Of Village -Baniyachak, P.S- Amarpur, Dist- Banka

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 05-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Amarpur P.S. Case No. 19 of 2025 dated 09.01.2025 registered for the offences punishable u/ss 103, 238(a) read with Section 3(5) of the B.N.S.

3. As per the prosecution case, the informant's younger son Gulshan Kumar had arranged a mobile phone on finance for Raja Kumar but the said phone was broken. After that, Gulshan Kumar asked Raja Kumar for the financed money then he refused to pay the money. Later on, when Gulshan



Kumar again asked for money, the petitioners and the co-accused persons threatened to beat and kill him. On 09.01.2025, the informant's son Gulshan Kumar, was called to Raja Kumar's house on the pretext of returning the money then the petitioners and the co-accused persons started abusing and assaulting him. On being objected by Gulshan Kumar, the co-accused, Raja Kumar and Suman Mandal smothered him and started assaulting him due to which, the informant's son died on the spot. Thereafter, the accused persons disposed of the dead body in a nearby field.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is no eye witness to the alleged occurrence. The specific allegation is against the co-accused, Raja Kumar and Suman Mandal. There is general and omnibus allegation against the petitioners. Learned counsel has further submitted that the petitioner nos. 1 and 2 are the brothers of the co-accused, Raja Kumar. Nothing has been recovered from the conscious possession of the petitioners. Learned counsel has further submitted that as per the post-mortem report, no external injury was found on the body of the deceased and the cause of death of the deceased has also been stated suspicious. The co-



accused persons have already been granted regular bail by this court vide order dated 09.07.2025 passed in Cr. Misc. No. 39374/2025. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 13.03.2025.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka in connection with Amarpur P.S. Case No. 19 of 2025 with the condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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