

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40776 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- PARBATTI District- Bhagalpur

Rambilash Mandal @ Pokhri Mandal S/O Gainu Mandal R/O Village and Ps-
Ghogha, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Advocate Mr. Pratyush Pratap Singh, Advocate
For the State	:	Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-07-2025 Heard Mr. Krishna Pd. Singh, learned senior counsel
for the petitioner and Mr. Murli Dhar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
06.03.2025 in connection with Parbatta P.S. Case No. 119 of
2024, F.I.R. dated 14.07.2024 for the offences punishable under
Section 140(3) of the BNS, 2023.

3. According to prosecution case, on 06.07.2024, at
about 10:30 P.M., one of her relative, namely, Chotu Kapri came
and took away her son and since then, he never returned home.

4. Learned senior counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. Petitioner is not named in the FIR
and his name has been transpired in this case on the basis of
confessional statement of the co-accused person, namely, Chotu



Kapri and thereafter the petitioner has also confessed his guilt in the present occurrence. Except the aforesaid, no other material has come during the investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and till date, dead body of the deceased has not been found by the prosecution. He further submits that similarly situated, co-accused, namely, Rajendra Kapri and Parwati Devi whose names have also come in the present case on the basis of confessional statement of the co-accused Chotu Kapri, have been granted privilege of anticipatory bail by this Court vide order dated 24.04.2025 passed in Cr. Misc. No. 504 of 2025. The petitioner is in custody since 06.03.2025.

5. The Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, clean antecedent of the petitioner, he is not named in the FIR, his name has been transpired in the present case on the basis of confessional statement of the co-accused person and similarly situated co-accused persons have been granted privilege of anticipatory bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-



III Naugachia in connection with Parbatta P.S. Case No. 119 of 2024, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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 antecedent, 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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