

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 46396 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- Ghogha District- Bhagalpur

Sudarshan Kumar, S/o Madan Mohan Mandal @ Madan Mandal, Resident of
Mirjapur, Police Station- Ghogha, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-10-2025 Heard Mr. Dr. Manoj Kumar, learned counsel for
the petitioner and Mr. Arun Kumar Singh, learned APP for the
State.

2. Petitioner seeks regular bail in connection with
Ghogha P.S. Case No. 94 of 2024 dated 03.08.2024 registered
for the offence punishable under section 137(2) of the Bharatiya
Nyaya Sanhita (in short 'BNS') and later on, sections 103(1),
238 and 3(5) of the BNS were added.

3. As per the prosecution story, the informant alleged
that his brother, namely, Pankaj Kumar was called by one
Sudarshan Mandal (petitioner) on 01.08.2024 at about 7:00
P.M., and a hot conversation took place in between them over
the mobile phone. Thereafter, his brother's mobile was switched
off. The informant suspected that petitioner had made his
brother traceless whose dead body was later recovered.



4. The main submissions advanced by petitioner's counsel are that the petitioner has been languishing in jail since 05.08.2024 and bears no criminal antecedent and there is no direct evidence to show his involvement in the alleged crime of murder and the police has not investigated the petitioner's location at the alleged place on the basis of his mobile phone's tower location and during the course of investigation, no person claimed to have seen the petitioner with the deceased at the time of the alleged occurrence. It is lastly submitted that co-accused persons, namely, Aditya Raj, Mithun Kumar @ Mithun Mandal, Santosh Mandal and Suraj Kumar, have been granted bail by different co-ordinate Benches of this Court vide orders passed in Cr. Misc. Nos. 84983/2024, 19021/2025 & 88449/2024.

5. On the other hand, learned APP for the State has opposed the prayer of the petitioner and submits that the petitioner is the main accused who killed the deceased and upon his disclosure, the dead body of the deceased was recovered. It is further submitted that the petitioner was having love affair with one namely Karina Kumari, who used to take tuition/coaching from the deceased, which was not liked by the petitioner and the said facts were stated by her during the course of investigation, as mentioned in paragraph No. 129 of the case



diary. It is lastly submitted that the said witness Karina Kumari stated that the petitioner suspected her of having an affair with the deceased.

6. Considering the seriousness of the allegation appearing against this petitioner and mainly the recovery of the dead body of the deceased on the basis of the disclosure made by this petitioner detailed in paragraphs Nos. 23 to 28 and also the motive on the part of the petitioner to commit the alleged occurrence as revealed by Karina Kumari, whose statement is mentioned in the paragraph No. 129 of the case diary, this Court is not inclined to grant the relief of bail to the petitioner at this stage. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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