

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52738 of 2025

Arising Out of PS. Case No.-267 Year-2024 Thana- SULTANGANJ District- Bhagalpur

Dablu Kumar S/O Vikash Mandal @ Vikash Boss Resident of Village-
Fatehpur, Police Station- Sultanganj, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 341, 323, 452, 326, 307, 302/34 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case in short as per fardbeyan of the informant, Rupam Devi is that one *Vikash Mandal @ Vikash Boss*, who was having bad intention against the informant, raised objection against him. It is further alleged that on the fateful day *Vikash Mandal @ Vikash Boss* along with all his family members, the named accused persons including the petitioner came to the house of the informant and started indiscriminate firing upon them due to which his husband



namely *Rajiv Mandal* got injury on the chest and his son namely *Ayush Kumar* got injury on the right thigh and right hand. Subsequently, they were taken to the hospital and in the way to the hospital his son died and her husband died during the course of treatment.

4. It is submitted by learned counsel for the petitioner that from the very averment of the FIR it is clear that specific allegation of firing upon the deceased is upon *Vikash Mandal @ Vikash Boss* while petitioner and six other named accused persons are stated to have assaulted him. However, there is an allegation of assault but no injury has been brought on record. It is further submitted that even during course of investigation the informant has reiterated what had been stated in the fardbeyan and there is a confessional statement of co-accused *Vikash Mandal @ Vikash Boss* who has also accepted his guilt. It is also submitted that charge-sheet has already been submitted in the case. It is also submitted that similarly situated co-accused person has already been granted bail by this Court vide order dated 16.04.2025 passed in Cr. Misc. No. 85672 of 2024. It is lastly submitted that the petitioner is having clean antecedent and is in custody since 03.03.2025.

5. Learned APP for the State has vehemently opposed



the prayer for bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the specific allegation of assault is against the co-accused *Vikash Mandal @ Vikash Boss* coupled with the fact that similarly situated co-accused person has already been granted bail, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur, in connection with Sultanganj P.S. Case No. 267 of 2024, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned 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 the same or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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