

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58008 of 2025

Arising Out of PS. Case No.-156 Year-2024 Thana- SHAMPUR District- Munger

Bhuneshwar Mandal @ Bhuneshwar Kumar Mandal Son of Rajo Mandal
Resident of Village - Laxman Tola Sattbigghi, P.S.- Shampur, District -
Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh, Adv.
For the Opposite Party/s : Mrs.Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T. No.
135 of 2025 arising out of Shampur P.S. Case No. 156 of 2024
instituted for the offences under Sections 126(2), 115(2), 103(1),
352(3)(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the petitioner along with
other co-accused persons went to the shop of the informant's
son and assaulted him by means of *lathi*, *danda*, iron-rod due to
which he sustained injuries and, ultimately, succumbed to his
injuries in course of treatment.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case due to ulterior motive of the informant. There is a case and counter case between the parties. He further submits that on 16.11.2024, both the parties indulged in free fight for selling liquor and, in that occurrence, the petitioner's relative also sustained injuries for which Shampur P.S. Case No. 154 of 2024 was registered against the informant side. The petitioner is a man of disable person having 45% permanent disability. The petitioner has no criminal antecedent and is languishing in judicial custody since 04.02.2025 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Mithlesh Kumar @ Mithlesh Mandal, Hariom Kumar, Pintu Manal have already granted bail by this Court vide order dated 05.06.2025 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 34780 of 2025. He further submits that the co-accused Manish Mandal has also been granted bail by this Court vide order dated 24.07.2025 passed in Cr. Misc. No. 46066 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the allegation alleged is serious in nature. He further submits that there is direct and specific allegation against the



petitioner of assaulting by means of iron rod upon the head of the deceased/informant's son due to which he fell down and succumbed to his injuries in course of treatment.

7. Having heard learned counsel for the parties and considering the gravity and nature of offence as also there being direct, specific allegation against the petitioner of assaulting the deceased upon his head by means of iron rod as also taking into account the materials available in the case diary, this Court is not inclined to grant privilege of bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from today.

9. If the trial is not concluded within the aforesaid period of six months, the petitioner will be at liberty to renew his prayer for bail before the court below.

(Rudra Prakash Mishra, J)

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