

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53217 of 2024

Arising Out of PS. Case No.-225 Year-2018 Thana- CHAUSA District- Madhepura

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Varun Mandal @ Barun Kumar S/o Juri Prasad Mandal Resident of Village
Sadhopur PS Gopalpur Rangra OP, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

9 08-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 341, 323, 307, 120(B),
504 and 506 of the Indian Penal Code.

3. The prosecution story, in short, is that while the
informant along with his brother Rajeev Prasad and some
villagers was returning home in the night, Gurudeo Mandal,
Barun Mandal (petitioner) Pintu Mandal son of Jangali Mandal,
Pramod Mandal, Pintu Mandal son of Bhabhikshan Mandal,
Rabin @ Rabindra Mandal, Chhabil Mandal and Binod Patil, all
of them in a planned were standing armed with pistol and they
surrounded the informant and his other companions and started
firing. The informant alleged that Binod Patil ordered to kill



Manoj Mukhiya first, and on the order of Binod Patil, Barun Mandal (petitioner) fired upon the informant, which hit his left-side chest. Then the informant and others started fleeing, but they continued firing from the backside. Then the informant was fleeing towards the door of Bachchan Jha and in front of the door of Bachchan Jha, Binod Patil, Rabindra Mandal @ Rabin Mandal, Chhabil Mandal caught him and Pintu Mandal again fired, causing injury to his back and Pramod Mandal fired, which caused injury to his temple, due to which he became injured and fell down. The informant alleged that Rabin Mandal caught Nandlal Mandal and Pintu Mandal son of Bhabhikshan Mandal, fired, causing injury to the right arm of Nandlal Mandal. On hearing a hulla and the sound of firing, his brother, Rajeev Prasad and other villagers came there, then the accused persons fled away.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated by the informant based only on conjectures and surmises. Learned counsel has further submitted that there is no eyewitness to the occurrence and also no motive behind the occurrence was given in the FIR. No incriminating article has been recovered from the possession of this petitioner. The petitioner and the informant are of different



districts and there was no prior enmity between the parties. The informant is a politician and due to political rivalry in the area, he has several enemies in the locality, but the petitioner has been made a scapegoat in this case due to dirty village politics. Learned counsel has next submitted that some of the co-accused have been granted regular bail by different coordinate benches of this court, orders of which have been annexed as Annexure P/2 series. It has lastly been submitted that the charge sheet has been submitted and there is no chance of tampering with the prosecution evidence. The petitioner has antecedent of four criminal cases and has been in custody since 19.02.2024.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that there is a specific allegation against the petitioner of firing on the chest of the informant. He has further submitted that the petitioner was declared an absconder due to which his property was attached; after that, he was arrested on 19.02.2024. Learned counsel has next submitted that if the petitioner is released on bail, he may once again abscond.

6. Considering the submissions made by the learned counsel for the respective parties and taking into account that there is a specific allegation of firing against the petitioner and



that the petitioner was declared an absconder, I am not inclined
to enlarge the petitioner on bail. Hence the prayer is rejected.

(Sourendra Pandey, J)

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