

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50863 of 2025

Arising Out of PS. Case No.-179 Year-2024 Thana- KHARIK District- Bhagalpur

Niraj Mandal @ Niranjan Mandal @ Neeraj Kumar S/O Kamleshwari
Mandal Resident of Village-Naya Tola, Bhawanpura, P.S.-Kharik, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Kharik
P.S. Case No. 179 of 2024, instituted for the offences punishable
under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner
assaulted husband of the informant with a bamboo pole on his
head and due to which he sustained injuries. It is further alleged
that in course of treatment, husband of the informant succumbed
to his injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case and
Charge has also been framed against the petitioner. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is delay of about seventeen days in lodging the FIR. Both the parties are neighbours. It is further submitted that the petitioner had no any intention to kill the deceased. The petitioner is in custody since 13.08.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner of assaulting husband of the petitioner by means of bamboo pole on his head due to which he sustained injuries and later on succumbed to his injuries in course of treatment. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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