

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79289 of 2025

Arising Out of PS. Case No.-96 Year-2024 Thana- SHAMPUR District- Munger

1. Bablu Mandal @ Bablu Kumar Mandal, S/O Chamak Lal Mandal, Resident of Village- Laxman Mandal Tola, Sathbigghi, At Present ManjhgaiDih, P.S.- Shampur, Dist.- Munger
2. Badal Mandal @ Badal Kumar, S/O Wakil Mandal, Resident of Village- GarbhuAsthan, Gopalpur,, P.S.- Shampur, Dist.- Munger

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-11-2025 This is the second bail application filed on behalf of the petitioners. The petitioners had earlier moved before this Court praying regular bail vide Cr. Misc. No. 10818 of 2025, which was allowed *vide* order dated 19.06.2025, however, with a condition with regard to the criminal antecedent and hence the learned Trial Court has cancelled the bail bonds of the petitioners and they are now again in custody since 24.08.2025 and 08.10.2025 respectively.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. Petitioners, who are in custody, seek bail in connection with S.T. No. 137 of 2025, arising out of Shampur



P.S. Case No. 96 of 2024 dated 01.08.2024 registered for the offences punishable under Sections 103(I)/3/5 of the Bharatiya Nyaya Sanhita, 2023.

4. As per the prosecution case, the informant has stated that around 10:00 P.M. all the named accused persons including the petitioners came variously armed and dragged away the brother of the informant and inflicted several injuries on account of which he died.

5. Learned counsel for the petitioners submits that the allegation upon them is fictitious, concocted and false. It is further submitted that the deceased himself had criminal background and had criminal cases lodged against him and from the statement of the witnesses examined during the course of investigation, it would be evident that there is no eye-witness to the occurrence. It is next submitted that the version as stated in the FIR is contradicted by the statements of the witnesses during the course of investigation as contained in para '44', '45' and '46 of the case diary. It has been lastly submitted that the petitioners are accused in Mahila P.S. Case No. 37 of 2024.

6. Learned APP for the State has opposed the prayer for bail of the petitioners and submits that there is specific allegation against the petitioners to have assaulted the brother of



the informant who died due to the injuries inflicted upon him by the accused persons.

7. Considering the aforesaid facts and circumstances of the case and taking into account the contradictions in the version of the FIR and the statements of the witnesses recorded during the course of investigation, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) on each of them with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with S.T. No. 137 of 2025, arising out of Shampur P.S. Case No. 96/2024 subject to the conditions :-

(i) One of the bailors of the petitioners shall be their close relatives and the other shall be local resident.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

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

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify



the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have 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 or in the name of verification.

8. Accordingly, the prayer for bail is allowed.

9. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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