

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84725 of 2024

Arising Out of PS. Case No.-161 Year-2014 Thana- LAUKAHI District- Madhubani

Om Prakash Mandal Son Of Siyaram Mandal Resident Of Village- Hariyahi,
P.S-Nirmali ,District -Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 30-07-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Laukahi P.S. Case No. 161 of 2014 registered for the offence
under Sections 365/34 of the I.P.C.

3. The petitioner is named in the F.I.R. and is in
custody since 14.08.2024

4. As per FIR, the son of the informant was
kidnapped by some unknown person.

5. Learned counsel appearing on behalf of the
petitioner submitted that the name of the petitioner
transpired during course of investigation on the basis of
confessional statement of apprehended co-accused namely,



Prem Kumar Mandal who has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 44951 of 2015 vide order dated 26.11.2015. It is submitted that in furtherance of aforesaid confessional statement of co-accused no incriminating recovered/ surfaced as to connect petitioner *prima-facie* with present set of occurrence. It is also submitted that one another co-accused namely, Shiv Jee Mandal has been also granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 43616 of 2015 vide order dated 26.11.2015 and the case of this petitioner stands on similar footing, therefore, considering judicial parity, petitioner also deserve bail. While concluding the argument, it is submitted that except suspicion nothing incriminating appears against this petitioner, who is a man of clean antecedent and moreover, investigation of this case is completed as such, there is no chance of tampering with the evidence.

6. Learned APP, while opposing the prayer of bail fairly conceded that petitioner is not named in FIR.

7. Considering aforesaid factual submission and by



taking note of fact as similarly situated co-accused persons has already been granted bail by the learned Co-ordinate Bench of this Court, where the case of petitioner *prima-facie* appears on similar footing, coupled with fact that petitioner is in custody since 14.08.2024, accordingly petitioner above named, is directed to be released on bail in connection with Laukahi P.S. Case No. 161 of 2014 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Jhanjharpur /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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