

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 85853 of 2024

Arising out of PS. Case No.-329 Year-2021 Thana- BARHARA KOTHI District- Purnia

Sunil Mandal Late, S/o Ramdeo Mandal @ Ramdev Mandal, Resident of Village- Belapemu Dargah Tola P.S-Barhara Distt- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s: Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

7 10-07-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

2. This is the third bail application of the petitioner, who seeks bail in Barhara (Raghuvansh Nagar O.P.) P.S. Case No. 329 of 2021 instituted for the offences under Sections 302, 307 and 102(B) of the Indian Penal Code and Section 27 of the Arms Act pending before the 4th District and Additional Sessions Judge, Purnea. He has no criminal antecedent.

3. Earlier the application for regular bail of the petitioner was rejected twice *vide* order dated 06.09.2023 passed in Cr. Misc. No. 68267 of 2022 and *vide* order dated 26.04.2024 passed in Cr. Misc. No. 21734 of 2024.

4. As per the prosecution case, it is alleged that the petitioner along with others had fired upon the head of the wife



(Sunita Devi) of the informant on account of which she died. It is further alleged that they have earlier fired upon her twice and they were creating pressure for registering the land in their favour without payment of money.

5. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. It is further submitted by learned counsel for the petitioner that the allegation of shooting on the head of the deceased has been assigned to two accused persons namely petitioner and co-accused Madhav, whereas, the postmortem report does not support the prosecution case. It is lastly submitted that the petitioner has no criminal antecedent and he is in custody since 05.07.2022.

6. Learned APP for the State has opposed the prayer for bail and has submitted that there is specific overt act of firing upon the informant's wife against the petitioner resulting in her death. It is further submitted that the postmortem report has also corroborated the prosecution case and the doctor opined that the death was caused by firearms injury. During investigation several witnesses have also supported the prosecution case. It is lastly submitted that six witnesses out of twelve have been examined, as such, the petitioner should not be released on bail.

7. Considering the aforesaid submissions of learned



counsel and nature of allegation and also the fact that six witnesses out of twelve have already been examined which is apparent from the report of 4th District and Additional Sessions Judge, Purnea dated 03.06.2025, I am not inclined to grant bail to the petitioner, as such, his prayer for bail is once again rejected.

8. The trial Court is directed to conclude the trial expeditiously.

(Sourendra Pandey, J)

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