

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19 of 2025

Arising Out of PS. Case No.-217 Year-2023 Thana- MIRGANJ District- Purnia

Chandan Kumar Son of Sri Bedanand Mandal Resident of Vill- Baghua Ward
No. 6, P.S.- Mirganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mirganj
P.S. Case No. 217 of 2023 instituted for the offences under
Sections 341, 323, 324, 325, 307, 120, 354, 379, 385, 34 of the
Indian Penal Code and subsequently Section 302 of the IPC was
added.

3. Prosecution case, in short, is that all the accused
persons including the petitioner due to enmity brutally assaulted
the informant's husband when he had gone to see his
agricultural land along with his son, as a result of which
informant's husband sustained injuries and later on died.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that there is admitted land dispute between the parties. Learned counsel further submitted that statement of the injured Pankaj Kumar Mandal (now deceased) was recorded and he has stated that co-accused namely Siya Ram Mandal pierced spear in his thigh and other persons also assaulted him but he has not stated about complicity of this petitioner in the alleged occurrence. The co-accused person has already been granted bail by this Court vide order dated 02.04.2024 passed in Cr. Misc. No. 22843 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.11.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mirganj P.S. Case No. 217 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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