

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9364 of 2026

Arising Out of PS. Case No.-49 Year-2014 Thana- KAUWAKOL District- Nawada

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1. Birendra Mandal S/O Bishundeo Mandal R/O Village- Rustampur- Kauakol, P.S- Kauwakol, Distt.- Nawada.
 2. Vijay Mandal S/O Bishundeo Mandal R/O Village- Rustampur- Kauakol, P.S- Kauwakol, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 06-02-2026 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. The petitioners seek bail in connection with Kauwakol (Kawakole) P.S. Case No. 49 of 2014 registered for the offences punishable under Sections 147, 148, 149, 379, 302 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.
3. The Court is not inclined to release the petitioners



on bail for the reason that petitioners had earlier moved before this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 44103 of 2015 and the same was permitted to be withdrawn with liberty to the petitioners to surrender and seek regular bail. It appears that after the order dated 15.10.2015 was passed in Criminal Miscellaneous No. 44103 of 2015, the petitioners instead of surrendering and seeking regular bail kept absconding despite the fact that they were aware that their anticipatory bail application was withdrawn with liberty to surrender and seek regular bail.

4. From perusal of Annexure-2 to the instant regular bail application, it would manifest that petitioners had again filed an anticipatory bail application being Criminal Miscellaneous No. 58199 of 2025 and the same again was permitted to be withdrawn by an order dated 08.09.2025, as such, the petitioners instead of surrendering earlier, in terms of the order passed in the year 2015 at their leisure, again moved for second anticipatory bail before this Court in the year 2025, which again was permitted to be withdrawn.

5. Present is a case of murder and if petitioners are enlarged on regular bail, they may abscond, as despite being aware of the order dated 15.10.2015 in Criminal



Miscellaneous No. 44103 of 2015, the petitioners did not
surrender for 10 years that shows their conduct.

**6. Accordingly, the instant regular bail
application is rejected.**

(Satyavrat Verma, J)

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