

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4585 of 2026

Arising Out of PS. Case No.-93 Year-2025 Thana- Ghogha District- Bhagalpur

Makhan Mandal Son of Late Baldev Mandal R/o Vill. - Shankarpur, P.S. -
Sabour, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-04-2026 Heard Mr. Rajive Ranjan Singh, learned counsel for
the petitioner and Mr. Bharat Bhushan, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
19.07.2025, in connection with Gogha P.S. Case No. 93 of 2025,
F.I.R. dated 16.07.2025 registered for the offences punishable
under Sections 103(1), 351(2), (3) of the B.N.S., 2023 and
Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on
14.07.2025 at about 7 O'clock one Makhan Mandal came to the
informant's house and inquired about her husband on which the
informant told that her husband had gone to paddy field.
Thereafter, Makhan Mandal went to basa and inquired from
Karu Mandal (elder brother-in-law) about informant's husband,



Rajesh Kumar Mandal on which he told that he had gone to field. Then Makhan Mandal went where Rajesh Kumar Mandal was irrigating the fields. Then Makhan Mandal went where Rajesh Kumar Mandal was working in field and in the meanwhile sound of gunfire was heard. Informant's elder brother-in-law saw that Rajesh Kumar Mandal had been shot and Makhan Mandal was running with a three nut in his hand and the informant's husband died during treatment.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. From perusal of the F.I.R. it appears that the informant is not an eye witness of the alleged occurrence and petitioner has been made accused in the present case on the basis of suspicion. He further submits that the date of occurrence as alleged in the F.I.R. IS 14.07.2025 but the present F.I.R. was instituted on 16.07.2025 after delay of two days without giving any explanation of delay.

5. Learned APP for the State, on the other hand, on the basis of material available on record and case diary,



vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was seen with the revolver near the place of occurrence and apart from that the postmortem report of the deceased reveals that all the injuries were *ante mortem* and caused by firearm weapon as well as a number of witnesses have supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case and there is specific and direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Gogha P.S. Case No. 93 of 2025 pending in the Court of learned A.C.J.M. 2nd, Bhagalpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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