

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11485 of 2026

Arising Out of PS. Case No.-131 Year-2024 Thana- KARJAIN District- Supaul

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1. Nitish Kumar Mandal S/o- Budhan Mandal R/v- Ithari W.No-4, Ps- Bhaptiyahi Dist- Supaul
 2. Kusheshwar Mandal S/o- Surya Narayan Mandal R/v- Jhilladumari, W.No-10, Ps- Bhaptiyahi Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

3 07-04-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. Earlier the prayer for bail of the petitioners was
rejected by this Court (Annexure P/1).

3. The petitioners seek bail in connection with Karjain PS
Case No. 131 of 2024 (corresponding to ST No 62 of 2025)
instituted for the offences punishable under Sections 140 (1),
140 (2) and 3 (5) of the Bharatiya Nyaya Sanhita pending in the
Court of learned Additional Sessions Judge IV, Sapaul.

4. The prosecution case is that Suresh Mandal, the
informant, lodged information with police alleging therein that
on 29.08.2024, his brother Shyam Nandan Mandal left the house



but he did not return. When he went to the house of Sheo Nandan Mandal, he saw that his vehicle was parked there. He states that prior to the same incident, Budhan Mandal, Sheo Narain Mandal, Shankar Mandal, Nitish Kumar Mandal, Chotu Mandal, Ramchandra Mandal and Kusheshwar Mandal had threatened that they would kill members of his family. The informant further asserted that a suit is also going on between his brother and the aforesaid persons with regard to the land dispute.

5. The person, namely, Shyam Nandan Mandal @ Parmanand Mandal is still traceless. The police, during investigation, neither could recover the dead body nor could gather any material against the petitioners except some telephonic talks on the basis of CDR.

6. The learned counsel for the petitioners has brought on record the photostat copy of Title Suit No 14 of 2023 wherein the informant is defendant No 2 and three of the co-accused, namely, Budhan Mdndal, Shyam Narain Mandal and Shankar Kumar Mandal are plaintiffs. The parties are claimed to be agnates.

7. The pendency of civil suit between the parties raises a bona fide doubt with regard to the implication as the same may



also be based on land dispute and the names may have been inserted in the FIR because of that dispute. These observations are being made for limited purposes of bail and they should not effect any other adjudication connected with this case. The petitioners are in custody since 26.10.2024 with no criminal antecedent.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

9. Considering the aforesaid facts and circumstances of the case, clean antecedents of the petitioners and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

10. Let the petitioners 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 Karjain PS Case No. 131 of 2024 (corresponding to ST No 62 of 2025).

(Ansul, J)

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