

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16812 of 2026

Arising Out of PS. Case No.-225 Year-2018 Thana- CHAUSA District- Madhepura

Varun Mandal @ Barun Kumar S/O Juri Prasad Mandal R/O Village-
Sadhopur, P.S- Gopalpur Rangra (O.P.), Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar Upadhyaya, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 18-03-2026 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 236 of 2021, arising out of Chausa P.S. Case No. 225 of 2018, registered for the offences under Sections 147, 341, 323, 307, 120(B), 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation as per FIR is that while the informant, his brother and some villagers were returning after having feast, accused persons including the petitioner surrounded them and, thereafter, petitioner ordered to kill the informant, on which, the petitioner namely Varun Mandal @ Barun Kumar fired, which hit left side of chest. However, the informant and other villagers tried to flee away but the other co- accused caught hold the



informant and co-accused namely Pintu Mandal fired on him, which hit him on his back. Co-accused Pramod Mandal fired causing injury to the informant on his temporal region, thereafter the informant fell down.

4. The learned counsel for the petitioner submits that the petitioner was falsely implicated in this case only on conjecture and surmises. It has been submitted that, in fact, there is no witness to the occurrence and no motive has been alleged in the fardbeyan for causing such occurrence. It has further been submitted that the plea of the victim stands vindicated from perusal of the deposition of the victim *i.e.* Nandlal Mandal, which has been brought on record by way of Annexure-P/3, wherein he has not named the petitioner to have fired upon him. In fact, it has been submitted that the victim had stated that one Pramod Mandal had fired upon him. The learned counsel for the petitioner has drawn the attention of this Court to the deposition of P.W. 2 namely Renu Kumari, who happens to be the wife of the informant, even she has not supported the prosecution case as alleged in the fardbeyan. It has thus been submitted that from the two depositions, it is evident that the allegations against the petitioner is not being proved and therefore, there is no point in keeping the petitioner in custody



who has already served more than two years in custody. It has been submitted that the petitioner has four criminal antecedents against his name and he is in custody since 19.02.2024.

5. The learned APP appearing on behalf of the State has vehemently opposed the prayer for bail and has stated that from the perusal of the depositions of P.W. 1 and P.W. 2, it appears that the witnesses have been gained over and they have backtracked from their earlier versions.

6. Considering the aforesaid submissions and taking into account the period of custody of the petitioner, he is directed to be released on bail on on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Madhepura in connection with Sessions Trial No. 236 of 2021, arising out of Chausa P.S. Case No. 225 of 2018, subject to the following conditions:

(i) One of the bailors will be a close relative of the petitioner and the other shall be a local resident;

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify



the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) in view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Madhepura within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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