

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19353 of 2026

Arising Out of PS. Case No.-390 Year-2025 Thana- SULTANGANJ District- Bhagalpur

Tanik Mandal @ Tanik Lal Mandal Son of Late Rashtrapati @ Rajpati
Mandal Resident of village- Purani Motichak, PS- Sultanganj, Dist
-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

For the Informant : Mr. Kaustubh Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

5 14-07-2026 Heard learned counsel for the petitioner, learned
Counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sultanganj P.S. Case No.- 390 of 2025, lodged on 29.08.2025
under Sections 103(1), 238 and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, when the brother of the
deceased went to the *Basa* to take rest, he did not find the
deceased there. He noticed blood stains on the deceased's bed as
well as near the place. During the course of search, some nearby
persons allegedly informed him that his brother had been
assaulted with *lathi* and brick, killed, and that the dead body had



been concealed at an unknown place. Subsequently, while searching, the informant found the dead body of his brother lying in water at a distance of about 500–700 metres towards the east-southern side from the *Basa*. The informant identified the body as that of his brother. During investigation, the CCTV footage and the statements of witnesses allegedly disclosed the presence of the accused persons near the place of occurrence. It is further alleged that the occurrence took place on account of a land dispute.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that the F.I.R. has been instituted merely on the basis of suspicion and hearsay information. It is submitted that a plain reading of the F.I.R. reveals that the allegations are based on what the nearby persons allegedly disclosed to the informant, which by itself has no evidentiary value. It is further submitted that during investigation, the petitioner's name surfaced only on the basis of the confessional statement of co-accused Manoj Mandal, which is not admissible in evidence against the petitioner. Learned counsel further submits that the petitioner has a clean antecedent and has remained in judicial custody since 12.09.2025. It is also



submitted that there existed previous enmity between the parties on account of a land dispute, and due to such enmity, the petitioner has been falsely implicated. He submits that the petitioner is ready to abide by any condition that may be imposed by this Court and that there is no likelihood of his tampering with the evidence or influencing the witnesses. Lastly, it is submitted that on the previous occasion, this Court had called for the case diary.

5. Learned counsel appearing for the informant vehemently opposes the prayer for bail. He submits that there are two significant incriminating circumstances against the petitioner. Firstly, the petitioner has been identified in the CCTV footage in the vicinity of the place of occurrence at the relevant time. Secondly, the confessional statement of co-accused Manoj Mandal is not merely a confession simpliciter; rather, the manner of assault as disclosed therein stands corroborated by the medical evidence. It is submitted that the injuries attributed by the co-accused to the deceased are fully consistent with the injuries noted in the post-mortem report, as reflected in paragraph 62 of the case diary.

6. Learned A.P.P. for the State also opposes the prayer for bail and submits that the post-mortem report reveals multiple



injuries on the person of the deceased. According to the medical opinion, the cause of death was haemorrhage and shock resulting from ante-mortem injuries, which were sufficient in the ordinary course of nature to cause death. Therefore, considering the gravity of the offence and the materials collected during investigation, the petitioner does not deserve the privilege of bail.

7. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Sultanganj P.S. Case No.- 390 of 2025, pending before the learned A.C.J.M.-1st, Bhagalpur is hereby rejected.

(Dr. Anshuman, J)

Manshi/Ashwini

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