

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21273 of 2026

Arising Out of PS. Case No.-191 Year-2016 Thana- JAGDISHPUR District- Bhagalpur

1. Kishan Mandal, son of Depo Mandal @ Deepu Mandal,
 2. Ramdeo Mandal @ Ramdev Prasad Singh, son of Depo Mandal @ Deepu Mandal
- Both are Residents of Village- Rupauli, P.S.- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K.Lal, Sr. Advocate Mrs.Devika Rani, Advocate
For the State	:	Mr.Shyam Kumar Singh, APP
For the Informant	:	Mr. Murlidhar Mishra, Advocate Mr. Shubhesh Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 16-07-2026 Heard learned senior counsel for the petitioners, learned A.P.P. for the State and the learned counsel for the informant.

2. In the present case, the petitioners seek bail in connection with Jagdishpur P.S. Case No.191/2016, registered for the offences under Sections 147, 148, 149, 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the petitioners and other co-accused persons, variously armed, came to the shop of the informant and on saying of petitioner Kishan Mandal, one co-accused Bajrangi shot at the husband of the informant on his



temple. Thereafter, on saying of petitioner Ramdeo Mandal, another co-accused Ravindra also shot the husband of the informant in his temple and the husband of the informant died at the spot.

4. Learned senior counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The police investigated the matter but did not find any material to proceed against the petitioners and thus did not send them up for facing trial. However, the learned trial court took cognizance against the petitioners and proceeded in the matter differing from the police report. The petitioners were not aware about the cognizance order dated 15.02.2023. As soon as they came to know about it, they filed anticipatory bail petition, but their prayer was rejected up to the Hon'ble Supreme Court. Immediately after dismissal of SLP (Cr.) No. 13431/2025, the petitioners surrendered before the learned Judicial Magistrate-1st Class, Bhagalpur on 30.10.2025 and since then, they are in custody. The learned senior counsel further submits that there is specific allegation of firing against co-accused Bajrangi and Ravindra Singh and only allegation against the petitioners are that they were the order givers. However, after investigation, the police did not find the allegation to be true against the



petitioners. The petitioner no. 1 is having antecedents of three cases, whereas the petitioner no. 2 is having antecedent of one case. The charge sheet has been submitted against the petitioners.

5. Learned A.P.P. as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioners. The learned counsel for the informant submits that the co-accused persons have been convicted, but the petitioners avoided the trial and surrendered only after passage of nine years of the occurrence.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that the petitioners are said to be order givers, who were not sent up for trial by the police and cognizance was taken differing from the police report and further considering the submission of charge sheet against the petitioners and their period of custody, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur/ concerned court, in connection with Jagdishpur P.S. Case No.191/2016, subject to the conditions mentioned in



Section 480 (3) of BNSS and also the following conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

U		T	
---	--	---	--

