

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28867 of 2026

Arising Out of PS. Case No.-809 Year-2022 Thana- KAHALGAON District- Bhagalpur

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Tuntun Mandal @ Tuntun Kumar Son of Mahendra Mandal Resident of
Village- Amapur, Trimuhan, P.S.- Kahalgaon (Ghogha) now Rasalpur,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha

For the Opposite Party/s : Mr. Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
05.01.2026 in connection with Kahalgaon (Ghogha) P.S. Case
No. 809 of 2022 for the offences punishable under Sections 363,
365/34, 302 and 201 of the I.P.C .

3. The prosecution case in brief is that informant Ajay
Mandal alleged that on 12.08.2022 at 10 P.M. night one Kajal
Devi called his son's Niraj Kumar mobile No. 9798985019 and
8084695046 to whom his son talked. when he has been inquired
from his son about alleged Call, Niraj Kumar replied that Co-
accused Kajal Kumari is calling at Amapur Trimohan to meet.
Then he asked Niraj Kumar not to go because it was night. After



that they all went their room for sleeping. When he woke-up in next day morning he has not been found his son Niraj Kumar in the house. The motorcycle of son-in-law of informant was also not parked in house. In the meanwhile his neighbour Vinod Mandal came and told that his son Govind Kumar was also missing. Thereafter informant and his neighbour Vinod Mandal started searching their sons. In course of searching they got knowledge that accused persons have abducted Niraj Kumar and Govind Kumar for marriage purposes. Thereafter only on suspicion, lodged this present F.I.R.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is next submitted that from perusal of the F.I.R. it appears that petitioner has been made an accused in the present case merely on the basis of suspicion, thereafter, the co-accused person was apprehended and he has confessed that the petitioner along with other co-accused persons have killed the deceased and except the aforesaid nothing has come during the course of investigation to suggest the involvement of the petitioner in the present occurrence. It is next submitted that co-accused persons, namely, Boski Mandal has been granted bail vide order dated 26.03.2025 passed in Criminal Miscellaneous No. 52023 of



2024 by a Co-ordinate Bench of this Court, Kajal Kumari has been granted bail vide order dated 19.12.2023 passed in Criminal Miscellaneous No. 5348 of 2023, Kishor Mandal has been granted bail vide order dated 01.09.2023 passed in Criminal Miscellaneous No. 24920 of 2023, Tara Devi has been granted bail vide order dated 10.05.2023 passed in Criminal Miscellaneous No. 73015 of 2022, Ashok Mandal has been granted bail vide order dated 10.05.2023 passed in Criminal Miscellaneous No. 74920 of 2022, Lalit Mandal has been granted bail vide order dated 10.05.20223 passed in Criminal Miscellaneous No. 6241 of 2023 and Mahendra Mandal has been granted bail vide order dated 12.09.2025 passed in Criminal Miscellaneous No. 32975 of 2025 by different Co-ordinate Benches of this Court. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 05.01.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of one case other than the present case .

6. Considering the aforesaid facts and circumstances



and the fact that the name of the petitioner has transpired on the basis of disclosure made by apprehended co-accused person and similarly situated co-accused persons have been granted bail by different Co-ordinate Benches of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-I, Bhagalpur or Successor Court in connection with Kahalgaon (Ghogha) P.S. Case No. 809 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that 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 bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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