

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34036 of 2025

Arising Out of PS. Case No.-227 Year-2024 Thana- KATIHAR MUFFASIL District- Katihar

Sweety Devi @ Tamannna Khatoon W/O Fatkan Mandal R/O Koriya Patti,
Baigna, Ward no -24, PS- Katihar (Nagar), Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35523 of 2025

Arising Out of PS. Case No.-227 Year-2024 Thana- KATIHAR MUFFASIL District- Katihar

Fatkan Mandal S/O Sanjay Mandal R/O Koriya Patti, Baigna, Ward no -24,
P.S- Katihar(Nagar), Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 37811 of 2025

Arising Out of PS. Case No.-227 Year-2024 Thana- KATIHAR MUFFASIL District- Katihar

Sanjay Mandal S/O Late Natai Mandal R/O Koriya Patti, Baigna, Ward No.-
24, P.S- Katihar (Nagar), Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34036 of 2025)

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate
Mr. Sanjeev Kumar Singh

For the State : Mr. Mohammed Arif, APP

(In CRIMINAL MISCELLANEOUS No. 35523 of 2025)

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate
Mr.Sanjeev Kumar Singh

For the State : Mr. Mohammed Arif, APP



(In CRIMINAL MISCELLANEOUS No. 37811 of 2025)

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Sanjeev Kumar Singh
For the State : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-03-2026 Heard Mr. N.K. Agrawal, learned Senior counsel for the petitioners assisted by Mr. Sanjeev Kumar Singh, learned counsel for the petitioners, and Mr. Mohammed Arif, learned APP for the State.

2. Petitioners seek bail, who are in custody since 21.10.2024, in connection with Sessions Trial No. 111 of 2025 arising out of Muffasil P.S. Case No. 227 of 2024, F.I.R. dated 24.09.2024 registered for the offences punishable under Sections 137(2), 140(3), 127(2), 103(1), 238, 61(2), 3(5) of the B.N.S., 2023.

3. The F.I.R. of the occurrence of the murder of the husband of the informant is against unknown.

4. Learned Senior counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. From perusal of the F.I.R. it appears that the present F.I.R. was instituted against unknown persons and it also transpires that the date of occurrence as alleged in the F.I.R. is 13.09.2024 but the present F.I.R. was instituted on 24.09.2024 after delay of eleven days and the name



of the petitioners have been transpired on the basis of the CDR conversation between co-accused person, namely, Sweety Devi @ Tamanna Khatoon and Sanjay Mandal (Cr. Misc. No. 34036 of 2025 and Cr. Misc. No. 37811 of 2025) and thereafter four accused persons were apprehended by the police who confessed their guilt in the present occurrence and also disclosed the name of other co-accused persons and there is no legal evidence on record which suggests that the petitioners are involved in the present case except the confessional statement of co-accused person namely Sanjay Mandal (Cr. Misc. No. 37811 of 2025).

5. Learned APP for the State, on the other hand, on the basis of material available on record and case diary, vehemently opposed the prayer for bail of the petitioners and submits that on the basis of confessional statement of co-accused person, namely Sanjay Mandal who accepted that he along with other co-accused persons have committed the crime in question and on the basis of confessional statement of co-accused person, namely, Sanjay Mandal the motorcycle of the deceased was recovered in the pond which was situated behind the house of co-accused Sanjay Mandal and apart from aforesaid, the dead body of the deceased was also recovered near the Railway Line which suggests that confessional



statement of co-accused person lead to recovery which cannot disbelieve at this stage.

6. Considering the aforesaid facts and circumstances of the case and the fact that on the basis of confessional statement of co-accused person, namely, Sanjay Mandal, the motorcycle of the deceased as well as the dead body of the deceased was recovered, I am not inclined to enlarge the petitioners on bail in connection with Sessions Trial No. 111 of 2025 arising out of Muffasil P.S. Case No. 227 of 2024 pending in the Court of learned Additional Sessions Judge-IX, Katihar

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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