IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58954 of 2026

CNR No. BRHC010832932026

Arising Out of PS. Case No.-51 Year-2023 Thana- PIRPAINTI District- Bhagalpur

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1. Niranjan Mandal Son of Late Radhe Mandal Resident of Village- Chaukhandi, Barbariya, P.S.- Pirpainty, District- Bhagalpur
2. Champa Devi Wife of Rajkumar Mandal, D/o Late Radhe Mandal Resident of Village- Badi Mohanpur, P.S.- Ekchari, District- Bhagalpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate
For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

4 27-10-2026 Heard learned counsel for the petitioners and learned A.P.P. on behalf of the State.

2. This application is filed for grant of regular bail to the petitioners who have been made accused in connection with Sessions Trial No. 413 of 2026 arising out of Pirpainty P.S. Case No. 51 of 2023, registered for the offences punishable under Sections 363, 365, 34 of the I.P.C.

3. As per the prosecution, the informant alleged that, on 31.01.2023, his son went to visit his Sasural but did not return. The informant suspected that the accused persons had killed his son and concealed his dead body. It is submitted that the deceased allegedly consumed poison out of anger and died during treatment on 01.02.2023. It is alleged by the informant that the accused persons

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cremated the deceased's body without informing the police.

Petitioner no. 1 is the brother-in-law of the deceased who is an agricultural labourer and the sole earning member of his family and petitioner no. 2 is the wife of the deceased and is the mother of six children.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence and have been falsely implicated in this case only on the basis of suspicion. It is submitted that there is no eye witness to the alleged occurrence and there is no allegation of instigation to consume poison or any motive has been alleged against the petitioners in the FIR.

5. A report was called from the Court below regarding the stage of trial and from the perusal of the report, it is found that charges have already been framed against these petitioners and the trial is going on. Learned counsel for the petitioners submits that the petitioners are in judicial custody since 20.03.2026 having clean antecedent.

6. Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioners.

7. Considering the fact that the petitioners have been made accused only on the basis of suspicion and there is no motive alleged against the petitioners in the FIR and also considering the fact that

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the co-accused, Masomat Kari Devi, who is the mother in law of the deceased has already been granted bail, I am inclined to grant bail to the petitioners, namely, 1. Niranjan Mandal (Petitioner No. 1) and 2. Champa Devi (Petitioner No. 2) on furnishing bail bond of Rs.10,000/- (Ten thousand rupees) each with two sureties of the like amount each to the satisfaction of the Court of learned Additional District and Sessions Judge-XI, Bhagalpur in connection with Sessions Trial No. 413 of 2026 arising out of Pirpainty P.S Case No. 51 of 2023 on the following conditions:-

(i) That one of the bailors should be family member of the petitioners.

(ii) That the petitioners will cooperate in the trial and will remain present on all dates personally or should be duly represented through their counsel and whenever required to be physically present by the Court, they should physically appear in Court on that date.

(iii) If the petitioners tamper with the evidence or threaten the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

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