

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 64362 of 2025

Arising Out of PS. Case No.-260 Year-2025 Thana- PHULPARAS District- Madhubani

Phul Deo Mandal @ Kuldeo Mandal @ Phul Deo Kumar @ Kuldeo Kumar
Mandal S/O Satya Narayan Mandal R/o village- Belha Ward no .7, P.S.-
Phulparas, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Kumar Mandal S/O Late Yogendra Mandal R/o village- Belha, P.s.-
Phulparas, District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate Mr. Udeshya Kumar Yadav, Advocate Mr.Ravi Prakash, Advocate
For the Opposite Party/s :		Mr.Aditya Narayan Singh.1, A.P.P. Mr. Ravi Ranjan, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 11-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with
Phulparas P.S. Case No. 260 of 2025, instituted for the offences
under Sections 65(1), 351(1), 352, 76 and 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

3. Allegation against the accused persons including the
petitioner is of commission of rape upon the victim girl on the
point of pistol.



4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that from perusal of statement of victim recorded under Section 180 of the BNSS, it appears that specific allegation is against Abhi Saurav Kumar Mandal and co-accused Indrakant Mandal who have given threatening to her mother. The petitioner is the uncle of said Abhi Saurav Kumar. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.06.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has corroborated the contents of the FIR and the same is further substantiated by the medical report of the victim, and therefore, the petitioner does not deserve to be released on bail. The investigation is going on against other co-accused, but Chargesheet has been submitted against the petitioner u/s 65(1), 351(2), 352, 76 and 3(5) of the Bharatiya Nyaya Sanhita, 2023



and Section 4 / 6 of the POCSO Act.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of four months from today. If any such application is filed before the learned court below, the court concerned shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

manish/-

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

