

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81772 of 2025

Arising Out of PS. Case No.-329 Year-2021 Thana- BARHARA KOTHI District- Purnia

Sunil Mandal S/o Late Ramdeo Mandal @ Ramdev Mandal Resident of Belapemu, Dargah Tola, P.S.- Barhara (Raghuvansh Nagar O.P.), District- Purnea

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 13-02-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. This is the fourth bail application of the petitioner.

Earlier, the regular bail application of the petitioner was rejected thrice vide order dated 06.09.2023 passed in Cr. Misc. No. 68267/2022, vide order dated 26.04.2024 passed in Cr. Misc. No. 21734/2024 and vide order dated 10.07.2025 passed in Cr. Misc. No. 85853/2024.

3. Th petitioner seeks bail in connection with S. Tr. No. 142/2024 arising out of Barhara (Raghuvansh Nagar O.P.) P.S. Case No. 329 of 2021 dated 10.10.2021 registered for the offences punishable under Sections 302, 307, 120(B) of the I.P.C. and Section 27 of the Arms Act.



4. As per the prosecution case, it is alleged that the petitioner along with others had fired upon the head of the wife of the informant who succumbed to such injuries. It is further alleged that the accused persons have earlier fired upon her twice and they were creating pressure for registering the land in their favour without making any payment for the same.

5. Learned counsel for the petitioner submits that the petitioner has falsely been implicated and the allegation of shooting has been attributed upon three persons including the petitioner. However, there is no specific allegation of assault by the petitioner. It has further been submitted that the allegation levelled in the F.I.R. is not supported by the post-mortem report. It has further been submitted that the report which was called for states that the informant and two others witnesses are still to be examined and therefore, there is no reasonable possibility of the trial concluding in the near future. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 05.07.2022.

6. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner and submitted that there is allegation upon the petitioner to have fired upon the informant's wife resulting in her death. It has further been submitted that even the



post-mortem report suggest that wife of the informant died due to firearms injury. It has further been submitted that since only three witnesses remains to be examined, the petitioner should not be released on bail.

7. Considering the facts and circumstances of the case and taking into account that the petitioner had earlier been given liberty to renew his prayer of bail after six months vide order dated 26.04.2024 despite the passage of time and rejection of his earlier bail application the trial is still to be concluded and three witnesses remains to be examined, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor court in connection with S. Tr. No. 142/2024 arising out of Barhara (Raghuvansh Nagar O.P.) P.S. Case No. 329 of 2021, subject to the following terms and conditions :-

(i) One of the bailors will be a close relative of the petitioner and others would be a government servant.

(ii) The petitioner shall refrain from contacting the informant or any member of the informant's family during the pendency of the trial.



(iii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iv) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(v) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

9. The application stands allowed.

(Sourendra Pandey, J)

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