

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80723 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- AMDABAD District- Katihar

1. Sugam Mandal @ Sugan Mandal S/O Raghumandal Resident of village - Chama, Police Station - Amdabad, District - Katihar
2. Chhotu Mandal S/O Raghumandal Resident of village - Chama, Police Station - Amdabad, District - Katihar

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 24-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 103(1), 61 (2) and 3(5) of the B.N.S.

3. The allegation in the First Information Report is that both the petitioners were involved in the murder of the informant's son.

4. It is submitted by learned counsel for the petitioners that the present application has been filed renewing the prayer for bail on behalf of the petitioners whose prayer was earlier rejected vide order dated 07.05.2025 passed in Cr. Misc. No.25560 of 2025 (Annexure-P/1). It is further submitted that the informant is not the eye witness of the alleged occurrence.



The entire case is based on the last seen theory and petitioners are in custody since 06.01.2025 with no criminal antecedent. It is pointed out that only charge has been framed and no witness has been examined on behalf of the prosecution.

5. Learned APP for the State opposed the bail petition on the ground that there is direct allegation upon the petitioners.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the prayer for bail of the petitioners was earlier rejected by a Bench of this Court on 07.05.2025, I find no reason to differ with the same, as such the prayer for bail of the petitioners is hereby rejected.

7. However, considering the report of the learned Trial court that despite the charges being framed on 04.08.2025, the prosecution has failed to examine any witness before the Court, the petitioners would be at liberty to renew their prayer after a period of six months in case substantial progress is not made in this case.

(Soni Shrivastava, J)

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