

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90877 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- CHIHARA District- Jamui

Gajadhar Mandal son of chando Mandal Resident Of Village- Billi Ps- Chihra District -Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-01-2026 Heard Mr. Satya Prakash Parasar, learned counsel
for the petitioner as well as Mr. Pranav Kumar, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
20.09.2025 in connection with Chihra P.S. Case No. 78 of 2025,
F.I.R. dated 16.09.2025 for the offences punishable under
Sections 308(3), 308(4), 308(5), 61(2) of the Bharatiya Nyay
Sanhita, 2023 and Sections 16, 17, 18,20, 21 of the Unlawful
Activities (Prevention) Act.

3. According to prosecution case, on secret
information regarding Naxal activities, police reached place of
occurrence and found black flag hoisted on the bamboo stick
foam plates, pamphlets written in red ink containing threats etc
and upon enquiry found that some naxalies have put the above



articles with intention to create obstruction in the upcoming assembly election by creating fear among the villagers. Hence the FIR.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated and nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR and his name transpired during investigation on the basis of suspicion and self-confessional statement of the petitioner which is recorded in paragraph-89 of case diary and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and similarly situated co-accused person, namely, Govind Mandal has been granted the privilege of regular bail by the co-ordinate Bench of this Court vide order dated 15.01.2026 in Cr. Misc. No. 90602 of 2025. He further submits that the police after investigation submitted the charge sheet and the petitioner is in custody since 20.09.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and



submits that petitioner has confessed his guilt in the present occurrence.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and nothing recovered from the conscious possession of the petitioner and similarly situated co-accused person has been granted the privilege of regular bail by the co-ordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-2nd, Jamui in connection with Chihra P.S. Case No. 78 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Suruchi/-

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

