

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9413 of 2025

Arising Out of PS. Case No.-138 Year-2024 Thana- BARAHAT District- Banka

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1. Raj Kishore Mandal @ Nhukul Mandal Son of Beni Shankar Mandal
 2. Chhotu Mandal @ Chhotu Kumar Mandal Son of Beni Shankar Mandal
 3. Raj Kumar Mandal Son of Beni Shankar Mandal
 4. Binideshwari Mandal Son of Fochan Mandal
 5. Srikant Mandal Son of Fochan Mandal, All are Resident of Village-Babudih,
P.S. - Barahat, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-03-2025 Heard Mr. Brij Nandan Prasad, learned counsel for the

petitioners as well as Mr. Uma Shankar Prasad Singh, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Barahat P.S. Case No.138 of 2024, F.I.R. dated
24.06.2024 registered for the offence punishable under Sections
341, 323, 308, 504, 506/34 of the Indian Penal Code.

3. The prosecution case in brief is that on 23.06.2024,
during course of Panchayati, the petitioners assaulted to
informant Anil Kumar Mandal by lathi, danda and rod causing
injury on his head. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that



petitioners have clean antecedent and have falsely been implicated in the present case. He further submits that although petitioners are named in the FIR, but it appears from the FIR itself that there is no accusation of any assault or overt act attributed against the petitioners, rather is there is general and omnibus allegation against the petitioners.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts petitioners have clean antecedent, there is no accusation of any assault or overt act attributed against the petitioners, rather is there is general and omnibus allegation against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Barahat P.S. Case No.138 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



(i) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

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

(iii) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of anticipatory bail bond of the petitioners. 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)

Prakash Narayan

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