

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11295 of 2025

Arising Out of PS. Case No.-333 Year-2024 Thana- BAHERI District- Darbhanga

1.

Vikram Mandal S/o Maksudan Mandal @ Masundan Mandal R/o vill - Borba, P.S.- Baheri, Distt.- Darbahanga
2.

Ramkumar S/o Maksudan Mandal @ Masundan Mandal R/o vill - Borba, P.S.- Baheri, Distt.- Darbahanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Baidyanath Prasad, Advocate
For the Opposite Party/s	:	Mr.Akshay Lal Pandit, APP
For the informant	:	Mr.Rajeev Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2

28-03-2025

1.

Heard learned Counsel for the petitioners and learned APP for the State.

2.

This application, for grant of anticipatory bail, arises out of Baheri PS case no. 333 of 2024 dated 19.09.2024, disclosing offences punishable under Section 126(2) and other allied sections of the B.N.S.S. Act.

3.

The prosecution story, as per the First Information Report, is that on 15.09.2024 at about 10 pm, petitioners along with other accused persons armed with lathi, danda, iron rod etc. arrived at the house of the informant in search of her husband and started abusing and threatening to kill everyone. In the meanwhile, husband of the informant reached at the house and



upon seeing him, one co-accused namely Maksudan Mandal ordered to kill her husband. Thereafter, petitioner no. 2 Ramkumar assaulted the informant's husband by means of lathi and snatched Rs. 35,000/- from his pocket. It has further been alleged that when informant's father-in-law and elder brother-in-law intervened to save her husband, petitioner no. 1 assaulted her elder brother-in-law by means of khanti, due to which, he also sustained head injury. Petitioner no. 2 along with co-accused Babita Devi assaulted the father-in-law of the informant with iron rod, due to which, his hand got broken. The allegation of outraging the modesty of informant is also there in the First Information Report.

4. Learned Counsel for the petitioners submits that both parties are co-villagers and neighbours and there is land dispute between them, which would be evident from the F.I.R. itself. Learned counsel further submits that case and counter case is there and there is delay of four days in lodging the F.I.R., inasmuch occurrence has taken place on 15.09.2024, however the F.I.R. has been registered on 19.09.2024. A counter case bearing Baheri PS Case No. 327 of 2024 has been filed by the side of the petitioners on 17.09.2024, which is prior in time to the present F.I.R. He next submits that petitioners' side have



also sustained injuries. He also submits that though the informant's father-in-law has received grievous injury but the same is not on the vital part of the body.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioners that they have assaulted informant's husband and her bhaisur (elder brother-in-law). He further submits that petitioner no. 2 along with co-accused Babita Devi assaulted the father-in-law of the informant with iron rod, due to which, he sustained fracture on his hand.

6. Having heard learned counsel for the parties and taking into consideration the fact that both parties are neighbours, case and counter case is there, injuries sustained by the husband and elder brother-in-law of the informant are simple in nature, insofar as the allegation of assault upon the father-in-law of the informant is concerned, the same is general and omnibus in nature and co-accused Babita Devi has been granted anticipatory bail by the District Court itself, I am inclined to grant the privilege of anticipatory bail to the petitioners.

7. This application is, accordingly, allowed.

8. Let petitioners, abovenamed, in the event of their



arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VII, Darbhanga in connection with Baheri PS case no. 333 of 2024, subject to the condition laid down under Section 482 (2) of the B.N.S.S. Act.

(Anil Kumar Sinha, J)

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