

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15548 of 2025

Arising Out of PS. Case No.-638 Year-2024 Thana- AMARPUR District- Banka

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1. Sanjay Mandal S/O Late Jageshwar Mandal Resident Of Village- Balia, P.S- Amarpur, Distt.- Banka.
 2. Alo Devi W/O Sanjay Mandal Resident Of Village- Balia, P.S- Amarpur, Distt.- Banka.
 3. Kishatu Mndal S/O Late Kailu Mandal Resident Of Village- Balia, P.S- Amarpur, Distt.- Banka.
 4. Bimli Devi W/O Kishatu Mandal Resident Of Village- Balia, P.S- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sabo Devi W/O Dhananjay Mandal Resident Of Village- Balia, P.S- Amarpur, Distt.- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Amarpur P.S. Case No. 638 of 2024 registered on 20.09.2024 for the offences punishable under Sections 126(2), 115(2), 110, 74, 352, 351(2) and 3(5) of B.N.S, 2023.

3. As per the prosecution, the F.I.R. has been lodged against the four accused persons (petitioners), alleging that all the accused entered the house of the informant forcefully and



abused her. Upon her protest, petitioner no. 1, Sanjay Mandal, assaulted her with fists, lathi, and a danda, causing injury to her head.

4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offense. The antecedents of the petitioners are clean. Even assuming the accusation to be true, there is no allegation against the other petitioners, except petitioner no. 1. The injury is of simple nature. Moreover, the matter has been compromised between the parties.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. Considering the fact that no allegation has been levelled in the F.I.R. against petitioner nos. 2 to 4 above named, let them be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the C.J.M., Banka, in connection with Amarpur P.S. Case No. 638/2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.



7. So far as petitioner No.1 Sanjay Mandal, is concerned, considering the nature of allegation levelled against him, this Court is not inclined to grant bail to him. Accordingly, the prayer for bail of petitioner no.1 is hereby rejected.

8. However, it is directed that the petitioner No.1 shall surrender before the Trial Court within a period of four weeks from today. In case he surrenders within this period, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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