

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16534 of 2025

Arising Out of PS. Case No.-428 Year-2024 Thana- SULTANGANJ District- Bhagalpur

1. Pawan Kumar Mandal @ Pawan Kumar, aged about 48 years, Male.
2. Pramod Kumar Mandal, aged about 40 years, Male.
Both Son of Late Gopi Krishna Mandal.
3. Pritam Kumar, aged about 19 years, Male.
4. Sritam Kumar, aged about 18 years, Male.
Both Son of Pawan Kumar Mandal @ Pawan Kumar.
All resident of Village - Fulwaria, Ward No. 27, P.S. - Sultanganj, District -
Bhagalpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioners apprehend their arrest in connection with Sultanganj P.S. Case No. 428 of 2024 instituted for the offences punishable under Sections 126(2), 115(2), 74, 109, 303(2), 352, 351(2) and 3(5) of the B.N.S. Act, 2023 (hereinafter referred to as 'B.N.S.').

3. As per the prosecution case, all the accused persons suddenly attacked upon the informant when she was sitting at the gate of her house and tried to hit the informant on her right thigh upon which the informant fall on the ground.

4. Learned counsel for the petitioners submit that



petitioners are innocent have committed no offence and have falsely been implicated in this case due to land dispute attributed between the parties. He submits that the FIR has been lodged after nine days of the occurrence and there is no any plausible explanation in this regard. He next submits that petitioners and informant are agnates (gotiya). He lastly submits that petitioner nos. 1 and 2 are own brothers and petitioner nos. 3 and 4 are sons of petitioner no. 1. Petitioners have got clean antecedent as stated in para 3 of the petition.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, injury report, which has been filed on behalf of the petitioners and the impugned order of the learned Additional Sessions Judge-XIII, Bhagalpur dated 18.02.2025, it appears that on the basis of fardbeyan of the informant Lakshmi, FIR has been registered under Sections 126(2), 115(2), 74, 109, 303(2), 352, 351(2) and 3(5) of the B.N.S. Act, 2023 against four accused persons (all petitioners). It also appears that from perusal of the injury report of the Medical Officer, who conducted treatment upon the informant found the injures on her body. He has found only one injury, pain in right hip joint and thigh and the radiology report found the injuries are simple in nature and petitioners have got



no criminal antecedent as stated in para 3 of the petition, so considering all these aspects of the matter, let the petitioners above named in the event of their arrest or surrender before the Court below within six weeks from today, be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Bhagalpur in connection with Sultanganj P.S. Case No. 428 of 2024, subject to the conditions laid down in Section 482(2) of the B.N.S.

(Ramesh Chand Malviya, J)

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