

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.25479 of 2025

Arising Out of PS. Case No.-397 Year-2024 Thana- SABAUR District- Bhagalpur

1. Sharban Nishad @ Srawan Mandal S/O Dhaneshwar Mahaldar @ Dhaneswar Mandal R/O Village- Lailakh, P.S- Sabour, Distt.- Bhagalpur.
2. Sajan Mahaldar @ Sarjan Kumar S/O Dhaneshwar Mahaldar @ Dhaneswar Mandal R/O Village- Lailakh, P.S- Sabour, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 13-10-2025 Heard learned counsel for the petitioners as well as the learned APP for the State.

2. This is an application for grant of anticipatory bail on behalf of the above named petitioners who apprehends their arrest in connection with Sabour P.S. Case No. 397 of 2024 for the offences under sections 191(2), 191(3), 190, 126(2), 115(2), 109, 140(1), 352, 351(4) 61(2) of the BNS and Sections 25(1-b) (I) 9, 26, 35/27 of the Arms Act.

3. Learned counsel for the petitioners submits that during the pendency of this petition, petitioner no. 2 has been arrested and therefore seeks permission to withdraw the anticipatory bail petition in respect of him.

4. Permission is granted. Accordingly, the anticipatory bail petition is dismissed as withdrawn in respect of petitioner no. 2.

5. As per allegation, the informant who is S.I.,



proceeded for morning patrolling and noticed 20–25 miscreants with arms. The informant came to know that the accused persons had kidnapped one Sitaram Mandal with intention to kill him. Some of the miscreants were arrested and arms and ammunition were recovered from their possession.

6. The learned counsel for petitioner no. 1 has submitted that petitioner no. 1 was not arrested at the spot and some of the arrested co-accused persons have already been granted bail. He has further submitted that there was dispute between the parties relating to fisheries and the injuries sustained are simple in nature.

7. Considering the above-mentioned facts and circumstances, **let the petitioner no. 1** in the event of his arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount to the satisfaction of learned CJM, Bhagalpur in connection with Sabour P.S. Case No. 397 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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