

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27581 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- HASANGANJ District- Katihar

1. JAY KUMAR MANDAL S/O LATE BIJAL MANDAL @ BIJJAL MANDAL R/o vill - Balua, P.S.- Hasanganj, Distt.- Katihar
2. Amar Kumar Mandal @ Amar Kumar Ray S/o Late Magan Mandal @ Late Mangan Mandal R/o vill - Fasiya, P.s.- Nagar, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-05-2025 Heard Mr. Sharda Nand Mishra, learned counsel for
the petitioner and the State.

2. The petitioners apprehend their arrest in connection with Hasanganj P.S. Case No. 06 of 2025 for the offence registered under sections 126(2), 115(2), 329(3), 329(4), 117(2), 74, 109, 303(2), 352, 351(2), 3(5) of BNS, 2023 lodged on 19.01.2025 by the informant, Jhuliya Devi.

3. As per the prosecution story, the informant alleged that earlier, the accused persons abused and later armed variously, they assaulted the informant's side. The allegation against Jay Kumar Mandal is of assaulting by *khanti* on the head by which the informant sustained injury while her husband was assaulted by Amar Kumar Mandal again on the head by iron rod. The allegation of snatching of the amount and jewelry is/are also there. This led to the FIR.



4. Learned Counsel for the petitioners submit that so far as the injury on the informant is concerned, the same has been found to be simple in nature while against the husband, it has been found to be grievous.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that so far as petitioner no. 2 , Amar Kumar Mandal is concerned, the injury inflicted by him has been found to be grievous.

6. Considering the submissions of the parties, so far as the anticipatory bail application of petitioner no. 2, Amar Kumar Mandal @ Aman Kumar Ray is concerned, the same is rejected.

7. Regarding petitioner no. 1, Jay Kumar Mandal, in view of the fact that the injury inflicted by him has been found to be simple in nature, has no criminal antecedent, in that background, this Court is inclined to grant petitioner no. 1, Jay Kumar Mandal the anticipatory bail with conditions.

8. Let the petitioner no. 1, Jay Kumar Mandal in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Katihar in connection with Hasanganj P.S. Case No. 06 of 2025 subject to condition as laid down under Section 438(2)



of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner no. 1, Jay Kumar Mandal , who shall provide official document to show his *bona fide*;

(ii) the petitioner no. 1, Jay Kumar Mandal shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner no. 1, Jay Kumar Mandal shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner no. 1, Jay Kumar Mandal shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no. 1, Jay Kumar Mandal shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

