

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33796 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- TIKAPATTI District- Purnia

1. Veda Nand Mandal S/o Late Hridya Lal Mandal R/o vill and P.S- Tikapatti, Distt.- Purnea
2. Santosh Mandal @ Sanosh Kr. S/o Veda Nand Mandal R/o vill and P.S- Tikapatti, Distt.- Purnea
3. Raja Kumar S/o Veda Nand Mandal R/o vill and P.S- Tikapatti, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshuman Jaipuriyar, Advocate

For the State : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Tikapatti PS. Case No.-06 of 2025, dated 12.01.2025 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 352 and 351(2) of BNS, 2023 and Section 27 of the Arms Act.

3. As per allegation, the petitioners along with other co-accused persons came to the land of the informant and



started fencing the land and when it was opposed by the informant, he was abused by the accused persons including the petitioner. In course of altercation, co-accused/Banti Mandal fired which hit the right leg of the brother of the informant and co-accused/Subodh Mandal fired at the informant, but he escaped.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as a matter of fact, the land belongs to the petitioners and it is the informant's side who came to the land of the petitioners and started making boundary wall, leading to altercation. He further submits that as per allegation itself, the injury has been caused in the leg, not on the vital part of the body, which shows that there is no *mens rea* to cause against the informant and his family members. Hence, offence of attempt to murder is not made out.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner Nos. 1 and 2 have two criminal antecedents, whereas petitioner No.3 has one criminal



antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Tikapatti PS. Case No.-06 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedent other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong,



learned court below shall cancel the bail bonds of the
petitioners.

(Jitendra Kumar, J.)

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