

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36097 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- SIMRAHA District- Araria

1. ANANDI MANDAL @ ANANNDI MANDAL S/O SHAMBHU MANDAL R/O VILL- RAHIKPUR, THELAMOHAN, TAR TOLA, WARD NO 04, PS- SIMRAHA, DISTT- ARARIA
2. MANTU MANDAL @ JHANTU MANDAL S/O SHAMBHU MANDAL R/O VILL- RAHIKPUR, THELAMOHAN, TAR TOLA, WARD NO 04, PS- SIMRAHA, DISTT- ARARIA
3. PINTU MANDAL S/O SHAMBHU MANDAL R/O VILL- RAHIKPUR, THELAMOHAN, TAR TOLA, WARD NO 04, PS- SIMRAHA, DISTT- ARARIA
4. RANTU MANDAL @ RANTU KUMAR S/O SHAMBHU MANDAL R/O VILL- RAHIKPUR, THELAMOHAN, TAR TOLA, WARD NO 04, PS- SIMRAHA, DISTT- ARARIA
5. PANDO KUMAR MANDAL @ PANDAV KUMAR @ PANDAV MANDAL @ PANDAV MANDA S/O SHAMBHU MANDAL R/O VILL- RAHIKPUR, THELAMOHAN, TAR TOLA, WARD NO 04, PS- SIMRAHA, DISTT- ARARIA
6. KANCHAN DEVI W/O SHAMBHU MANDAL R/O VILL- RAHIKPUR, THELAMOHAN, TAR TOLA, WARD NO 04, PS- SIMRAHA, DISTT- ARARIA
7. DIPA DEVI @ DIPA KUMARI W/O PINTU MANDAL R/O VILL- RAHIKPUR, THELAMOHAN, TAR TOLA, WARD NO 04, PS- SIMRAHA, DISTT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 03-09-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Simraha Police Station Case No. 57 of 2025, dated



02.03.2025, disclosing offences under Sections 191(2)/191(3)/190/126(2)/115(2)/118(i)/109/352/351(2)/351(3)/74 of the Bhartiya Nyaya Sanhita.

3. The prosecution case, as per the First Information Report, is that on 28.02.2025, at about 08:00 PM, while the informant and his family members were at home, the petitioners, along with other co-accused persons, armed with iron-rod, lathi, danda, axe, etc., arrived there and attacked them. During the assault, the co-accused Shambhu Mandal assaulted informant's father, namely, Mathurnand Mandal by means of iron-rod due which he fell down unconscious, petitioner no. 1 assaulted Pankaj Mandal by means of iron-rod causing him to fall unconscious, petitioner no. 4 assaulted Komal Kumari by axe due to which she sustained injury on her head and face, petitioner nos. 6 and 7 assaulted Lukni Devi by means of iron-rod causing head and back injury, petitioner no. 5 and co-accused Ajeet Mandal brutally assaulted informant's mother and outraged her modesty and other co-accused persons assaulted the informant. The injured were referred to Purnea Sadar Hospital for treatment and are under serious condition. It has further



been stated that the occurrence took place due to quarrel between the children of both the parties.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to quarrel which took place between the children of both the parties. He next submits that the present case is counter-blast of the case, earlier filed by the side of the petitioners having Simraha Police Station Case No. 55 of 2025, which is prior in time to the present First Information Report. Specific allegation of assault upon the deceased, who is informant's father, namely, Mathuranand Mandal, is upon Shambhu Mandal, who is not the petitioner in the present case. Referring to the injury reports, annexed with case diary, learned counsel submits that the victims have sustained simple injuries except Komal Mandal and Pankaj Mandal, who have sustained grievous injury attributable to petitioner nos. 4 and 1, respectively. However, injuries sustained by Komal Mandal is simply abrasion on right cheek of 1/2 X 1/2 cm and swelling of scalp, but the same has been opined as grievous and injury no. ii sustained by Pankaj Mandal is simple in nature.



5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and fact that occurrence took place due to quarrel between the children of both the parties and injuries caused by petitioner nos. 5, 6 and 7 are simple in nature and there is no specific allegation of assault against petitioner nos. 2 and 3, I am inclined to grant the petitioner nos. 2, 3, 5, 6 and 7 privilege of anticipatory bail.
6. This application with respect to petitioner nos. 2, 3, 5, 6 and 7 is, accordingly, allowed.
7. Insofar as petitioner nos. 1 and 4 are concerned, there is specific allegation of assault against the petitioner nos. 1 and 4 and injuries caused by them are grievous in nature, accordingly, I am not inclined to grant anticipatory bail to the petitioner nos. 1 and 4.
8. This application in respect of petitioner nos. 1 and 4 stands dismissed.
9. Let the petitioner nos. 2, 3, 5, 6 and 7, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each



with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Simraha Police Station Case No. 57 of 2025, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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