

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35607 of 2025

Arising Out of PS. Case No.-116 Year-2025 Thana- JHAJHA District- Jamui

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Ajay Mandal S/o Rameshwar Mandal Vill.- Shair, PS- Jhajha, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-07-2025 Heard Mr. Pankaj Kumar Sinha, learned counsel for the petitioner and Mr. Abhay Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jhajha P.S. Case No. 116 of 2025, F.I.R. dated 13.03.2025 for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 352 of the B.N.S.

3. According to prosecution case, on 13.03.2025 around 10 A.M., informant Arvind Yadav was sitting at Pramod Sah's shop when the accused persons, forming an unlawful assembly, arrived and began abusing and assaulting him due to a previous sand mining dispute. Ajay Mandal allegedly hit Arvind on the head with a lathi, and Sudama Kumari was also allegedly assaulted by Bharat Yadav with a lathi.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although, the petitioner is named in the F.I.R. and there is specific allegation against the petitioner that he assaulted the informant causing injury by means of a bamboo on his head. Although, the informant has received injury but the injury report of the informant suggests that the injury inflicted upon the informant by the petitioner is simple in nature caused by hard and blunt substance. The injury inflicted upon the chest of the informant by the other co-accused persons is grievous in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent, the injury inflicted upon the informant by the petitioner is simple in nature, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Jamui, in connection with Jhajha P.S. Case No. 116 of 2025 , subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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