

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39539 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- BAHERI District- Darbhanga

Sashikant Kumar @ Shashikant Kumar @ Shashikant Mandal S/O Hari Prasad Mandal R/O Village- Bandihuli, PS- Baheri, Distt- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

Mr.Saurav Anand

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-07-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Baheri Police Station Case No. 46 of 2025, dated 13.02.2025, disclosing offences punishable under Sections 126 (2)/115(2)/118(1)/110/74/352/351(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 04.02.2025, at about 2 PM, when the informant was constructing his house, all of a sudden, all the accused persons, including the petitioner, arrived there with deadly weapons. It has been alleged that the petitioner assaulted the informant on his head by Katta (a



sharp cutting weapon), co-accused Hiralal Mandal assaulted with khanti near his eyes and co-accused Shambhu Mandal assaulted with tangari on the head of the informant, due to which he sustained injuries.

4. Learned Counsel for the petitioner submits that both the parties are agnates and there is long standing land dispute between the parties and a partition suit is pending between them, bearing Partition Suit No. 328 of 2024. The occurrence has taken place due to the fact that the side of the informant was constructing a house on the land, which was subject matter of the partition suit. Referring to the injury report, learned Counsel submits that the allegation against the petitioner is that he assaulted the informant on his head by means of Katta, which is a sharp cutting weapon, but the injury on the head of the informant has been caused by hard and blunt substance. The injury has been opined as grievous in nature due to the fact that nasal bone of the informant was found fractured, which is not attributable to the petitioner.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are agnates having long standing land



dispute and the fracture of nasal bone is not attributable to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 learned Additional Chief Judicial Magistrate-VII, Darbhanga, in connection with Baheri Police Station Case No. 46 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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