

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38045 of 2025

Arising Out of PS. Case No.-589 Year-2024 Thana- MADHEPURA District- Madhepura

MALHU MANDAL Son of LATE SARYUG MANDAL Residents of
Village-Madhuban, Ward No.1, P.S.-Bharahi (Madhepura), District-
Miadhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
Mr. Dhankar Kumar, Advocate
Mr. Atul Kumar, Advocate
Mrs. Isha Mishra, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Madhepura (Bharahi O.P) P.S. Case no. 589 of
2024 instituted for the offence under Sections 341, 323, 324,
307, 379, 504 and 506/34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner
along with others being armed with weapon arrived, the
petitioner ordered to kill and on his order, Bhawani Mandal
assaulted with ‘dabiya’ the ‘dabiya’ hit the left hand of the
informant. It is further alleged that Malhu Mandal assaulted



with '*lathi*' on the head of the informant due to which he received bleeding head injury and he fell down. It is further alleged that Malhu Mandal assaulted indiscriminately with '*lathi*'.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the petitioner and the informant are agnate, there is also a counter version of this case and there is land dispute between the parties. It is further submitted that the occurrence is of 25.05.2024 where as the FIR has been lodged on 29.05.2024 after four days of the occurrence. It is also submitted that from perusal of the order of the trial Court, it will also transpire that the injury report was not available. Further submission is that since there was no injury on the person of the informant and this case is only a counter blast of that case that is why there is no injury report on record. Petitioner is a man of clean antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner



is directed to surrender in the Court below within a period of four weeks from today and in the event of ... arrest or surrender in connection with Madhepura (Bharahi O.P) P.S. Case no. 589 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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