

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41931 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- MAHESHKHUNT District- Khagaria

1. Abadh Mandal @ Abadhesh Mandal S/O Late Jibli Mandal R/O Village- Temha Banni Rohri Ward No. 16, P.S- Maheshkhunt, Distt.- Khagaria.
2. Abhinandan Mandal S/O Indradev Mandal R/O Village- Temha Banni Rohri Ward No. 16, P.S- Maheshkhunt, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vivekanand Singh, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Praveen Kumar Agarwal
		Mr. Santosh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-07-2025 Heard Mr. Vivekanand Singh, learned counsel for the petitioner, Mr. Praveen Kumar Agarwal duly assisted by Mr. Santosh Kumar Singh, representing the informant and Mr. Jitendra Kumar Singh, learned APP appearing for the State.

2. The petitioners are apprehending their arrest in connection with Maheshkunt P.S. Case No. 28 of 2025 for the offence under Sections 126(2), 115(2), 117(2), 109, 303(2), 352 and 3(5) of the Bhartiya Nyaya Sanhita lodged on 12.02.2025, by the informant, Anmol Kumar.

3. As per the prosecution story, the informant alleged that the accused persons came knocking at his door during the midnight as he opened the door and upon having seen that they



are armed variously, tried to close it. Allegation is that Deepak Kumar pushed the gate, pulled the informant out and assaulted on the head causing injury. As Ankush Kumar came to rescue, allegation is that Rohit Kumar assaulted by butt of the revolver causing fracture. Further allegation is against Raja Kumar and Vikas Kumar of picking up some amount from their pocket, the injured were shifted to hospital which followed the F.I.R.

4. Learned counsel for the petitioners submit that there is case and counter case, there is delay from both sides in lodging the F.I.R., two petitioners herein have no criminal antecedent. Further submission is that main allegation is against Ankush Kumar and Deepak Kumar of assaulting, omnibus allegation is against these two petitioners.

5. Learned APP and Mr. Praveen Kumar Agarwal representing the informant submit that all the accused persons assaulted, though specific allegation is against Deepak Kumar and Ankush Kumar.

6. Taking into account the fact that main role has been attributed to Deepak Kumar and Ankush Kumar, omnibus allegation against these petitioners and they do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail.



7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Khagaria, in connection with Maheshkunt P.S. Case No. 28 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

Ankit Kumar/-

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