

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43392 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- DANDKHORA District- Katihar

1. Pritam Kumar @ Priyam Kumar Son of Shivan Mandal @ Shivanarayan Mandal Resident of Village- Jabara, Paharpur, P. S- Dandkhora, District- Katihar
2. Kalyug Mandal @ Kaliyug Mandal @ Chandradip Mandal Son of Deven Mandal Resident of Village- Jabara, Paharpur, P. S- Dandkhora, District- Katihar
3. Indrajit Kewat @ Indrajit Mandal Son of Late Tilak Mandal @ Mohan Mandal Resident of Village- Jabara, Paharpur, P. S- Dandkhora, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah, Advocate
For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-07-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Dandkhora P.S. Case no.37 of 2025, registered under sections 126(2), 115(2), 117(2), 109, 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that at the instigation of Shivan Mandal, the other four named accused persons including the three petitioners herein came variously armed with *lathi*, *danda* etc. They started to abuse and



assault the informant. On the son of the informant coming to his rescue, it is stated that Niraj Mandal assaulted him with a *lathi* on his head, but somehow his assault struck the son of the informant on his shoulder as a result of which his son fell down injured. He sustained fracture on his shoulder and was taken to the hospital for treatment.

4. Learned counsel for the petitioners submits that so far as the three petitioners herein are concerned, the allegations are general and omnibus in nature. The so called injuries have been found to be simple in nature as would be evident from the order of the learned trial Court. Further, the injury of fracture on the shoulder of the son of the informant is directly attributable to co-accused Niraj Mandal and not the petitioners herein. The petitioners have no criminal antecedent and undertake to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners in the F.I.R., the injuries on the informant and others having been found to be simple in nature together with the injury with respect to fracture of shoulder of the son of the



informant being directly attributable to the co-accused and not the petitioners herein and the petitioners not having any criminal antecedent, in the facts of the case, it is directed that all the three petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Dandkhora P.S. Case no. 37 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Katihar.

(Partha Sarthy, J)

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