

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48368 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- KHARIK District- Bhagalpur

1. Suker Mandal @ Sukraj Mandal Son of Late Jangli Mandal
2. Bijli Devi Wife of Suker Mandal.
Both Resident of Village - Nawada, Police Station - Kharik, District - Bhagalpur.
3. Dipak Mandal Son of Kailash Mandal Resident of Village - Rajandipur, Police Station - Sabour, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr.Rajesh Kumar, learned counsel for the petitioners and Mr.Ram Priya Sharan Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Kharik P.S.Case No.237 of 2024, FIR dated 16.10.2024 registered for the offences punishable under Sections 126(2),115(2),74,117(2),3(5) of B.N.S.,2023.

3. Allegation against petitioner No.1 is that he assaulted to the wife of the informant with iron rod due to which her right hand was broken.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent. Informant is agnate to the petitioners and due to some petty dispute, the present occurrence had taken place. Although there is specific allegation against petitioner No.1, namely, Suker Mandal @ Sukraj Mandal that he assaulted to the wife of the informant due to which her hand was fractured. Learned counsel for the petitioners submits that although the injury inflicted upon the wife of the informant is grievous in nature but the same is not on the vital part of the body apart from that, there is no specific allegation against all the accused persons rather there is general and omnibus allegation in the FIR, apart from that, it appears from the FIR itself that the date of occurrence as alleged in the FIR is 06.10.2024 but the present FIR has been instituted on 16.10.2024 after delay of about 10 days afterthought only to falsely implicate the petitioners in the present case.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, injury inflicted upon the injured person is not on the vital part of the body, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Naugachia, Bhagalpur in connection with Kharik P.S. Case No.237 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Nitesh/-

U		T	
---	--	---	--

