

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53309 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- KATIHAR NAGAR District- Katihar

1. Naina Devi W/O Bechu Mandal R/O Vill.- Baigna, P.S.- Katihar Town, Dist.- Katihar.
2. Bechu Mandal S/O late Natai Mandal R/O Vill.- Baigna, P.S.- Katihar Town, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 103(1), 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and Petitioner No. 1 is a woman and the informant alleges that when he came back home, he saw Mithun, Raghu, Phuchak and Naina (petitioner No. 1) assaulting his cousin brother and his family members, hence the informant intervened to save them when Bechu (Petitioner No. 2) assaulted him by *lathi* on his left leg,



thereafter the matter was pacified and the informant came back home and saw his mother lying on the floor, who disclosed that Naina pushed her from the chair and Raghu assaulted her by *fist* causing acute pain in the stomach, accordingly the informant got her admitted in a hospital and came back home, but his mother died the next day.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that Raghu Mandal has been given the privilege of bail by the learned trial court by an order dated 16-4-2025 in B.P No. 88 of 2025 after considering the post-mortem report where no external injury was found and *viscera* was preserved. The learned counsel thus submits that had the mother of the informant been assaulted by the petitioner No. 1, in that event some external injury would have been found on her body during the post-mortem, but that is not the case. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Katihar Town P.S. Case No. 5 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

Sumit/-

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

