

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52103 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- LADANIA District- Madhubani

1. Sudish Mandal S/o- Lakhandev Mandal R/o Village- Paroryahi P.O. Gajahara P.S. Ladaniya District- Madhubani
2. Manju Devi @ Sanju Devi W/o- Sudish Mandal R/o Village- Paroryahi P.O. Gajahara P.S. Ladaniya District- Madhubani
3. Raja Kumar S/o- Ramvilash Mandal R/o Village- Paroryahi P.O. Gajahara P.S. Ladaniya District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Soban Asghar, Advocate
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection with Ladaniya P.S. Case No. 85/2025 lodged on 15.03.2025 for the offences punishable under sections 126(2), 115(2), 109, 352, 351(2), 329(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged against the petitioners alleging, inter alia, that petitioner no. 3 came to the shop of the informant and asked for petrol, which was not provided to him due to non-availability. Thereafter, petitioner no. 3 returned from his house with a pistol,



accompanied by his uncle, Sudish Mandal (petitioner no. 1), armed with a lathi, and his brother, Rahul Mandal, armed with an iron rod. It is alleged that they assaulted the informant on the head with the intention to kill. When the mother and wife of the informant came to his rescue, they were also assaulted. The accused persons further assaulted the father of the informant, who was suffering from paralysis. The informant was thereafter taken to the hospital, where 12 stitches were administered to his head. Later that night, while the informant was asleep, 10–15 accused persons, armed with weapons, allegedly came to his house with the intention of committing dacoity.

4. Learned counsel for the petitioners submits that they are innocent and have been falsely implicated in this case. It is contended that there is no specific allegation against the petitioners, particularly petitioner no. 3, and that the allegations in the F.I.R. are general and omnibus in nature. It is further submitted that the petitioners have clean antecedents.

5. Learned APP for the State opposes the prayer for bail but submits that there is an allegation of assault against petitioner no. 1 (uncle of petitioner no. 3) and co-accused Rahul Kumar Mandal.

6. Considering the fact that there is no specific



allegation against petitioner no.2 in the FIR, let petitioner no.2 above-named be released on bail, in the event of her arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only), as mentioned in Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*, to the satisfaction of the **learned SDJM, Madhubani**, in connection with **Ladaniya P.S. Case No. 85/2025** subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*.

7. Considering the nature of allegation levelled in the FIR against petitioner nos. 1 and 3, this Court is not inclined to grant bail to them. Accordingly, their prayer for bail is hereby rejected. However, if they surrender before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioners' anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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