

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60871 of 2025

Arising Out of PS. Case No.-228 Year-2025 Thana- MURLIGANJ District- Madhepura

1. Sohan Mandal @ Sadanand Mandal Son of Late Durgi Mandal R/o of Village - Gangapur, Hanumanpatti, ward no. - 05, P.S. - Murliganj, Dist. - Madhepura
2. Gulabchand Mandal @ Gulo Mandal S/o Late Durgi Mandal R/o of Village - Gangapur, Hanumanpatti, ward no. - 05, P.S. - Murliganj, Dist. - Madhepura
3. Mitthu Mandal S/o Sitabi Mandal R/o of Village - Gangapur, Hanumanpatti, ward no. - 05, P.S. - Murliganj, Dist. - Madhepura
4. Ramdev Mandal S/o Sitabi Mandal R/o of Village - Gangapur, Hanumanpatti, ward no. - 05, P.S. - Murliganj, Dist. - Madhepura
5. Shiv Kumar Mandal Son of Late Ramsundar Mandal R/o of Village - Gangapur, Hanumanpatti, ward no. - 05, P.S. - Murliganj, Dist. - Madhepura
6. Mahanand Mandal Son of Late Durgi Mandal R/o of Village - Gangapur, Hanumanpatti, ward no. - 05, P.S. - Murliganj, Dist. - Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Adv.
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-09-2025 Heard Mr. Nafisu Zzoha, learned Counsel for the

petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Murliganj P.S. Case No. 228 of 2025 for the offence registered under sections 126(2), 115(2), 118(1), 109, 303(2), 3(5) of BNS.

3. As per the prosecution story, the informant alleged that on the simple issue of removal of bamboo, the accused



persons assaulted causing injuries. This led to the FIR.

4. Learned Counsel for the petitioners submit that omnibus allegation is there against the petitioners, the injury has been found to be simple in nature, they do not have criminal antecedent and the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 2,000/- each (totaling Rs. 12,000/-) through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though omnibus in nature, all assembled and assaulted causing injury.

6. Considering the submissions of the parties as also that they do not have criminal antecedent, injury has been found to be simple in nature, FIR is there, shall be facing the music, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 2,000/- each (totaling Rs. 12,000/-) to the informant as



undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st, Madhepura in connection with Murliganj P.S. Case No. 228 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *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 his 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 attendance and at the end of the period, the certificate be submitted to the Court;



(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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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