

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60693 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- AKBARNAGAR District- Bhagalpur

Karelal Mandal S/O Late Kishun Mandal @ Kiso Mandal Resident of village-
Damodarpur, P.s.- Akbarnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Akbarnagar P.S. Case No. 33 of 2025 registered for the offences under Sections 115(2), 126(2), 109, 74, 76, 352, 351(2), 3(5), 303(2) and 103(1) of the BNS.

3. As per prosecution case, petitioner and other co-accused persons started raising a wall on the land of the informant. An altercation took place and sons of the informant were assaulted with iron rod on orders of this petitioner. One of the sons of the informant died while undergoing treatment in hospital.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. There is no specific allegation of assault against the petitioner which is specific against co-accused persons. There is case and counter case between the parties for dispute over the landed property. The son of the informant died after 10 days of occurrence which shows it is a case of culpable homicide not amounting to murder. In fact the informant side are aggressor and they assaulted the petitioner's side and Akbarnagar P.S. Case No. 34 of 2025 has been lodged by the wife of co-accused Mukesh Kumar. Deceased Sintu Mandal attacked the petitioner and fractured his head with iron rod who was admitted in the hospital and discharged after 10 days. Learned counsel further submits that in any case allegation of assault on the deceased is against co-accused persons and there is no involvement of this petitioner. Petitioner is in custody since 11.03.2025 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no specific allegation of assault against the petitioner who is said to be an order giver and further



considering the period of custody of the petitioner along with his clean antecedent and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.,-1st, Bhagalpur/concerned court in connection with Akbarnagar P.S. Case No. 33 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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