

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62432 of 2025

Arising Out of PS. Case No.-177 Year-2021 Thana- PIRPAINTI District- Bhagalpur

Sadhusaran Mandal S/o- Late Ramlagan Mandal Resident of Village-
Babupur, P.s.- Pirpainty, 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. Abhay Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 12-09-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Pirpainty (Bakharpur) P.S. Case no.177/2021 registered
under Sections 341, 323,307, 504, 506/34 of the Indian Penal
Code.

3. As per the prosecution case, the allegation in the
first information report is that on account of dispute with regard
to partition, an incident of assault took place. Co-accused Uday
Mandal gave knife blow on the head of the informant due to
which, he sustained injury. It is further alleged that petitioner
also assaulted the informant by means of *lathi* and *danda* on the
family of the informant.

4. Learned counsel for the petitioner submits that the



specific allegation of assault upon the informant on his head by means of *Dabiya* is on co-accused Uday Mandal and so far as this petitioner is concerned, there is a general allegation of assault by means of *lathi* on informant's family members. It has further been submitted that the petitioner and the informant are agnates and there was a dispute with regard to partition due to which, the present occurrence took place. It has also been submitted that during the course of investigation, the police submitted final form in favour of the petitioner and the said final form is Annexure-2 to the present application. However, differing with the said final, report cognizance was taken by the learned Magistrate. The learned counsel has also submitted that the petitioner is an old man aged about 71 years suffering with many old age ailments. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that the informant has suffered serious injuries.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that there is general and omnibus allegation levelled against him and the investigating agency found the petitioner innocent and thereafter



cognizance has been taken, it is directed that the petitioner above named, having no criminal antecedent in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Pirpainty (Bakharpur) P.S. Case no. 177/ 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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