

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65040 of 2025

Arising Out of PS. Case No.-158 Year-2025 Thana- NAANPUR District- Sitamarhi

Shivjee Mandal Son of Jugeshwar Mandal Resident of Village - Sauriya Bari
(Suklu Tola), Ward No.- 1, P.S.- Bokhra, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Adv.

For the Opposite Party/s : Mr.Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Nanpur P.S. Case No. 158 of 2025, registered for the offences under Sections 126(2), 115(2), 118(1), 109, 75, 303(2), 351(2), 3(5) of the BNS.

3. As per the prosecution case, petitioner and other co-accused persons surrounded the son of the informant and assaulted him with iron rod, bricks and stones and son of the informant became seriously injured. When the informant intervened, she was put down and disrobed. When the second son of the informant intervened, he was assaulted by co-accused Ramdayal Mandal with iron rod causing fracture of the head. Thereafter, the assailants looted the ornaments and household articles from the house of the informant. Subsequently, the son



of the informant died during treatment.

4. Learned counsel for 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 and the allegations are general and omnibus against all accused persons. Altogether 14 persons have been made accused but the injury report shows only two injuries on the person of the deceased. The petitioner has been arrested in this case merely on suspicion and the petitioner was not even present at the place of occurrence. Similarly placed co-accused persons have been granted bail vide order dated 09.09.2025 passed in Cr. Misc. No. 61090 of 2025 and order dated 19.08.2025 passed in Cr. Misc. No. 56577 of 2025 by different Co-ordinate Benches of this Court. The petitioner is in custody since 21.03.2025 and he has no criminal antecedent. Charge sheet has been submitted.

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

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that allegation of assault is against 14 persons and further considering submission of charge sheet against the petitioner,



his period of custody and grant of bail to other similarly placed co-accused persons, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sitamarhi/concerned court, in connection with Nanpur P.S. Case No. 158 of 2025, subject to the condition laid down under Section 480(3) of the BNSS 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, if so required by the learned trial court.

(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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