

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66449 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- PURAINI District- Madhepura

1. Arvind kumar @ Arvind Kumar Mandal @ Arvind Kumar Anand Sri Rajeshwar Prasad Mandal @ Rajeshwar Mandal R/o Village - Aurai, Ward no. 08, P.S. - Puraini, District - Madhepura.
2. Rajeshwar Prasad Mandal @ Rajeshwar Prasad Son of Late Kuldeep Mandal R/o Village - Aurai, Ward no. 08, P.S. - Puraini, District - Madhepura.
3. Purnima Devi Wife of Rajeshwar Prasad Mandal @ Rajeshwar Prasad R/o Village - Aurai, Ward no. 08, P.S. - Puraini, District - Madhepura.
4. Rubi Kumari Wife of Arvind Kumar @ Arvind Kumar Mandal @ Arvind Kumar Anand R/o Village - Aurai, Ward no. 08, P.S. - Puraini, District - Madhepura.
5. Rambha Kumari @ Shambha Kumari Wife of Mr. Aman Kumar @ Aman Kumar Mandal R/o Village - Aurai, Ward no. 08, P.S. - Puraini, District - Madhepura.
6. Sneha Bharti Wife of Mr. Akhilesh Mandal @ Akhilesh Kumar Mandal R/o Village - Aurai, Ward no. 08, P.S. - Puraini, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate
For the State : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-09-2025 Heard Mrs. Vaishnavi Singh, learned counsel for the petitioners and Mr. Shekhar Kumar Singh, learned counsel representing the informant duly assisted by Mr. Buddhi Lal Yadav beside Mr. Bharat Bhushan, learned APP representing the State.

2. The petitioners are apprehending their arrest in connection with Puraini P.S. Case No. 96 of 2025 registered for



the offence under Sections 103(1), 3(5) and 303(2) of the Bharatiya Nyaya Sanhita, lodged on 03.06.2025 by the informant, Abhinandan Prasad Sinha.

3. As per the prosecution story, the informant alleged that when he reached the place alongwith old mother, saw the garbage on the ground floor, upon complain, the accused persons who are agnates, came and after abuse, the allegation is that Akhilesh Kumar Mandal pushed her old mother while Aman Kumar Mandal sat on the chest as a result whereof she became unconscious. Further, Veerana Kumari pushed the informant also, as a result whereof he fell down. Allegation of taking away amount is against Akhilesh Kumar Mandal. As the locals arrived, the unconscious mother was taken to Puraini Hospital where she was declared dead. This followed the F.I.R.

4. Learned counsel for the petitioners submit that due to the scuffle that took place between the families, witnessing the scene, she became unconscious and later, died. So far as the petitioners herein are concerned, they are neither Akhilesh Mandal nor Aman Kumar Mandal nor even Veerana Kumari, four of them are ladies and only for the implication, they have been named beside two other family members one of which (petitioner no.2) is 75 years old.



5. Learned APP as also learned counsel for the informant on the other hand opposes the prayer submit that unfortunately, an old lady, wanted just removal of the garbage, instead got assaulted and left this world.

6. It is unfortunate that the agnates instead of taking care of each other resort to violence which result into unfortunate death of an old lady if the allegation is to be believed. However, in this particular case save and except the presence of the petitioners at the place of occurrence, no further allegation has been made in the entire F.I.R. As recorded, four of them are ladies, one is an aged person, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Madhepura, in connection with Puraini P.S. Case No. 96 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her 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 their bail bond by the Trial Court itself;

(iii) 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;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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