

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70584 of 2025

Arising Out of PS. Case No.-266 Year-2024 Thana- BELDOUR District- Khagaria

Sharwan Mandal@ Shrawan Mandal S/o Brahmdeo Mandal R/o Village-
Mahinathnagar, P.S - Beldaur, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanshu Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 352, 109, 303(2) and 3(5) of B.N.S., 2023.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that sand belonging to village committee member was kept on his land and a child Ayush of the same village started playing and spilling the sand, when informant scolded him for spilling the sand and chased him away, thereafter the accused persons including the petitioner came variously armed and abused him and Sharwan and Ram Mandal with iron rod and *Kulhari* assaulted his son and daughter-in-law causing injury on



head.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation, as alleged in the FIR, it would manifest that on account of dispute relating to spilling of sand by a child, the occurrence is alleged to have taken place. It is also submitted that informant had thrashed the child, as such, the petitioner along with other family members came and an altercation took place in which both sides assaulted each other. It is also specifically pleaded in the anticipatory bail application that there is no injury report on record and the injured suffered swelling injury. It is also submitted that petitioner is not a criminal. It is lastly submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, let petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail 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 trial court where the case is pending/Successor Court in connection with Beldaur P.S. Case No.266 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

7. However, it is made clear that if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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