

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75379 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- ALAMNAGAR District- Madhepura

1. Kailash Mandal S/O Late Lakhan Mandal R/O Village- Akaha, P.S- Alamnagar, Distt.- Madhepura.
2. Ravi Mandal @ Shiv Charan Mandal S/O Kailash Mandal R/O Village- Akaha, P.S- Alamnagar, Distt.- Madhepura.
3. Santosh Mandal S/O Kailash Mandal R/O Village- Akaha, P.S- Alamnagar, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
For the State	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Uday Chand Prasad, learned counsel for the petitioners and Mr. Uday Pratap Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Alamnagar P.S. Case No. 85 of 2025, F.I.R. dated 16.03.2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 329(4), 126(2), 115(2), 75, 324(4), 352, 351(2), 351(3) of the B.N.S. and Section 27 of the Arms Act.

3. Allegation against the petitioners is that they along other co-accused persons came at the house of the informant and



assaulted the informant and his family members by lathi, danda and country made pistol due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that due to some petty dispute the present occurrence had taken place and there is case and counter case between the parties. Although, the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act or firing attributed against these petitioners and there is specific allegation of firing attributed against co-accused persons, namely, Bechan Mandal, Jitendra Mandal and Mithun Mandal. Although the informant and one Suman Kumar have received injury but the injury report of the injured persons suggests that all the injuries are simple in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are named in the F.I.R. and petitioners along with other co-accused persons have assaulted the informant and their family members.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and



there is no specific allegation of any assault or overt act or firing attributed against these petitioners and the specific allegation of firing is against co-accused persons namely, Bechan Mandal, Jitendra Mandal and Mithun Mandal as well as the injuries inflicted upon the injured persons are simple in nature, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Uda Kishunganj, Madhepura in connection with Alamnagar P.S. Case No. 85 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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