

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82700 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- Gidhaur District- Jamui

MITHILESH KUMAR @ GUNJAN KUMAR S/O RAJENDRA MANDAL
R/o Village- Mahuligarh, P.O- and P.S- Gidhour, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-12-2025 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State as well as the learned
Advocate for the informant.

2. The petitioner apprehends his arrest in connection
with Gidhaur P.S. Case No. 54 of 2025, registered for the
offences punishable under Sections 126(2), 115(2), 109, 76,
303(2), 118(1) 118(2), 351, 352, 3(5) of the BNS.

3. The allegation against the petitioner is of causing
assault over the head of the husband of the informant, namely,
Shankar Mandal by means of *tangi* due to which he sustained
serious injury, besides the allegation against other accused
persons of causing assault to other family members of the
informant.

4. Learned Advocate for the petitioner submitted that
the parties are agnates and they are bickering over the land



dispute for a long time. The present case is nothing but the counter blast to Gidhaur P.S. Case No. 51 of 2025 registered by the father of the petitioner in which it is specifically alleged that in fact it is the husband of the informant (Shankar Mandal), who had with a *tangi* in his hand brutally assaulted the petitioner over his head due to which, he also sustained grievous injury. Delay in lodging of the FIR, clearly smacks deliberation and false implication of the petitioner is the contention of the petitioner. Moreover, the petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocates for the State and the informant vehemently opposed the bail application and submitted that besides the specific accusation against the petitioner of causing *tangi* blow, which led to grievous injury, the NCCT-Brain report of the injured, Shankar Mandal clearly reflects that he has sustained communicated fracture of left parietal along with temporal bone and he has been still under treatment and facing threat to his life.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the specific nature of accusation leading to grievous injury to



the informant’s husband, this Court is not acceded to the prayer for anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail to the petitioner stands rejected.

7. However, if the petitioner surrenders before the court below, preferably within a period of six weeks, the learned jurisdictional court shall consider his prayer for bail without being prejudiced by the order of this Court.

(Harish Kumar, J)

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