

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85593 of 2025

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

1. Kulo Devi @ Fuliya Devi Wife of Fuleshwar Singh @ Fulen Singh Resident of Village- Pansalwa ward no. 6, P.S. Beldour, District- Khagaria.
2. Choti Mandal @ Chotelal Mandal son of late Sukhan Mandal Resident of Village- Akha, P.S. Alamnagar, District- Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Singh, Adv.
For the State	:	Ms. Pushpa Sinha No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Alamnagar P.S. Case No. 85 of 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 BNS, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, petitioners and other entered into the house of informant and tried to pull saree of informant's wife and when informant came to rescue, he was assaulted by the accused persons. It is alleged that petitioner no. 1 assaulted upon the hand of Suman Kumar by means of lathi



causing injury to him. It is further alleged that co-accused Bechan Mandal, Jitendra Mandal and Mithun Mandal made firing.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners bear no criminal antecedent. He further submits that though there is specific allegation of assault against petitioner no. 1 upon Suman Kumar but injury of Suman Kumar is simple in nature, as mentioned in the impugned order. Allegation against petitioner no. 2 is general and omnibus in nature. There is no allegation of firing against any of the petitioners. There is case and counter case between both the parties on the same date of occurrence and hence, free fighting cannot be ruled out. There is land dispute between the parties and in cases of land dispute, facts are generally exaggerated to make the offence graver. He further submits that co-accused Kailash Mandal and others have already been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 75379 of 2025 and case of present petitioners stands on similar footing and hence, they deserve anticipatory bail.

5. The learned A.P.P. for the State opposes the prayer



for anticipatory bail of the petitioners and submits that petitioners are FIR named accused and they cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioners, on similar allegation co-accused has already been granted anticipatory bail by a co-ordinate Bench of this Court, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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, Udakishunganj, Madhepura in connection with Alamnagar P.S. Case No. 85 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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