

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3403 of 2026

Arising Out of PS. Case No.-77 Year-2023 Thana- BANDHUWA KURAWA District- Banka

Krishna Kumar Mandal S/o- Late Dhaneshwar Mandal Resident of village-
Madhopur Ps- Bandhua kurawa District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-01-2026 Heard Mr. Md. Najmul Hodda, learned counsel for
the petitioner and Mr. Umanath Mishra, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
08.10.2025 in connection with Bandhua Kurawa P.S. Case No.
77 of 2023, F.I.R. dated 30.08.2023 for the offences punishable
under Sections 341, 323, 307, 504, 506 and 34 of the Indian
Penal Code.

3. According to prosecution case, on 26.08.2023, the
petitioner was ploughing the land of the informant. When the
informant objected, the petitioner abused him. During the
altercation, petitioner allegedly struck the informant's brother on
the head with a spade, while other co-accused person allegedly
assaulted the informant with a *lathi*, causing injuries.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the FIR itself that due to admitted land dispute, the present occurrence has taken place and there is case and counter case and both sides have received injuries. Although, the specific allegation of assault is attributed against the petitioner that he has assaulted the informant by means of spade (kudal) and he has received the head injury. Learned counsel for the petitioner further submits that there was no intention to kill anyone and at the spur of moment, the present occurrence has taken place. Similarly situated co-accused persons, namely, Punita Devi and Jairam Mandal have been granted privilege of anticipatory bail by this Court vide order dated 30.07.2025 passed in Cr. Misc. No. 33549 of 2025. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 08.10.2025.

5. Learned APP for the State have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case and also the fact that the petitioner has clean antecedent and due to admitted land dispute, the present occurrence has taken place and there is case and counter case and the co-accused persons have been granted privilege of anticipatory bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Bandhua Kurawa P.S. Case No. 77 of 2023, with the following conditions:

i. Petitioner 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 her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. 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)

Ranjeet/-

U		T	
---	--	---	--

