

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5487 of 2026

Arising Out of PS. Case No.-124 Year-2025 Thana- Pothia District- Katihar

1. Saurav Kumar @ Saurav Kumar Mandal Son of Khokha Mandal @ Rajendra Mandal V
2. Niraj Kumar Mandal @ Neeraj Kumar Mandal @ Niraj Kumar Son of Khokha Mandal @ Rajendra Mandal
Both of Village Dira Chandpur, P.S.- Pothia, District - Katihar, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Apurv Harsh, Advocate Mr.Manu Tripurari, Advocate Mr.Hritik Anand, Advocate Mr.Raghu Raj Pratap, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 17-02-2026 Heard Mr. Apurv Harsh along with Mr. Manu Tripurari, Mr. Hritik Anand and Mr. Raghu Raj Pratap, learned counsels appearing on behalf of the petitioners and Mr. Sanjay Kumar Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Pothiya P.S.Case No.124 of 2025, registered for the offence(s) punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2) and 3(5) of BNS, 2023.

3. As per the allegation made in the FIR, all the accused persons including the petitioners with an intention to kill the informant and his other family members assaulted with sword causing multiple injuries on their body.

4. Learned counsel appearing on behalf of the



petitioners submitted that the direct allegation of assault on the informant is against co-accused Khoka Mandal and the general and omnibus allegation has been alleged against the petitioners that they along with the other co-accused persons assaulted the wife of the informant. Learned counsel further submitted that the petitioners' side have also sustained grievous injuries but when they went to lodge the FIR, the police refused and they lodged a complaint case before the learned Judicial Magistrate having jurisdiction. The injuries have been brought on record along with the present application. Learned counsel also submitted that both the petitioners are student and they have no criminal antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, there is case and counter case between the parties and both the parties have sustained injuries. Direct allegation of assault is against Khoka Mandal and general and omnibus allegation is against the petitioners, who allegedly along with other co-accused persons including Khoa Mandal assaulted the wife of the informant causing injuries, which may be in their



self-defence without intention to kill her. The said allegation is not attributable to the petitioners alone. I am of the opinion that the petitioners have *prima-facie* made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, 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, Katihar/concerned Court in connection with Pothiya P.S.Case No.124 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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