

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5872 of 2026

Arising Out of PS. Case No.-108 Year-2025 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. Suraj Kumar Mandal @ Suraj Kumar Son of Babu Lal Mandal R/o Village - Ambai, Gaytree Colony, Bypass, P.S. - Jagdishpur, Dist. - Bhagalpur.
 2. Vikash Kumar Mandal @ Bikash Kumar Son of Babu Lal Mandal R/o Village - Ambai, Gaytree Colony, Bypass, P.S. - Jagdishpur, Dist. - Bhagalpur.
 3. Chand Kumar Mandal @ Chandan Kumar @ Chandu Kumar Mandal Son of Babu Lal Mandal R/o Village - Ambai, Gaytree Colony, Bypass, P.S. - Jagdishpur, Dist. - Bhagalpur.
 4. Akash Kumar Mandal @ Akash Kumar Son of Babu Lal Mandal R/o Village - Ambai, Gaytree Colony, Bypass, P.S. - Jagdishpur, Dist. - Bhagalpur.
 5. Sourabh Kumar Mandal @ Sourabh Kumar Son of Bino Mandal @ Bindeswari Mahaldar R/o Village - Sardarpur, P.S. - Nathnagar, Dist. - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners are apprehending their arrest in connection with Kotwali P.S. Case No. 108 of 2025 dated 08.09.2025 registered for the offence punishable under Sections 126(2), 115(2), 303(2), 74, 3(5) of the B.N.S., 2023.

3. As per prosecution case, the FIR named accused persons, armed with weapons, came to the shop of the



Informant, questioned her over selling articles at low prices and thereafter assaulted her with fists, kicks and an iron rod, causing injury near her ear. It is further alleged that when her uncle Arjun Kumar Mandal, cousin Nilam Devi and aunt Putul Devi intervened, they were also assaulted, resulting in injuries, and the purse of Nilam Devi was snatched.

4. After some arguments, counsel for the petitioners seeks permission of this Court to withdraw the instant anticipatory bail petition of petitioner no.4 namely Aakash Kumar Mandal @ Akash Kumar.

5. Permission is accorded.

6. Accordingly, the instant anticipatory bail petition stands dismissed as withdrawn as against the petitioner no.4, above named, and now, the present anticipatory bail petition is confined only to the petitioner nos. 1, 2, 3 & 5 respectively.

7. Learned counsel for the petitioners by referring to the injury report submits that the nature of injury caused to the injured does not support the allegation made in the F.I.R. It is next submitted that the allegation leveled against the petitioners are general and omnibus in nature while specific allegation of overt act is against the petitioner no.4 whose anticipatory bail petition has already been dismissed as withdrawn. It is next



submitted that there is a case and counter case between the parties as sister of the petitioner no.1 namely Raushani Kumari has filed a case against the Informant being Complaint Case No. 1546 of 2025. It is further submitted that the injury caused to the injured is simple in nature caused by hard and blunt object.

8. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

9. Having heard learned counsel for the parties and considering the fact that there is no specific allegation of overt act against the petitioners, while the specific allegation of overt act is attributed to petitioner no. 4, whose anticipatory bail application has already been dismissed as withdrawn, this Court is inclined to grant the privilege of anticipatory bail to the petitioner nos. 1, 2 3 & 5.

10. Accordingly, let the above named petitioner nos. 1, 2, 3 & 5, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 the learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali P.S. Case No. 108 of 2025, subject to the conditions as laid down under



Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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