

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8624 of 2026

Arising Out of PS. Case No.-297 Year-2024 Thana- MANIHARI District- Katihar

Sunil Mandal, S/o Sukhu Mandal, Resident of Village-Baghmara, P.S.-
Manihari, District-Katihar Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Manihari P.S. Case No.297 of 2024 registered for the offences punishable under Sections 189(2), 115(2), 126(2), 324(4), 109, 352 and 351(2) of the Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. As per FIR, nine named accused persons including the petitioner came to the courtyard of informant and started to abuse the informant and family members, which upon objection, co-accused persons damaged the property of informant worth of Rs.50,000/- and the petitioner assaulted on the head of father-in-law of the informant due to which, he died in Bhagalpur Hospital during treatment.



4. It is submitted by learned counsel appearing for the petitioner that the occurrence was free fight in nature, as both parties are angates. It is submitted that the occurrence took place in the background of land dispute and for same set of occurrence, the petitioner's side also lodged a case, which was registered as Manihari P.S. Case No.298 of 2024. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioner is a man of clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that the specific allegation causing fatal assault is available against this petitioner.

6. In view of aforesaid factual submissions as the allegation of fatal assault appears available against this petitioner, accordingly, the prayer for grant of anticipatory bail of petitioner is hereby rejected.

(Chandra Shekhar Jha, J.)

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