

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23269 of 2026

Arising Out of PS. Case No.-936 Year-2025 Thana- AMARPUR District- Banka

1. Mukesh Mandal S/o- Arun Mandal Village- Mahota PS- Amarpur District- Banka
2. Puja Devi w/o- Mukesh Mandal R/v- Mahota Ps- Amarpur Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 10-04-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109(1), 74, 303(2), 352, 351(2) and 3(5) of the B.N.S.

3. The allegation in the First Information Report is that the petitioners along with others have assaulted the informant and his family members.

4. Learned counsel for the petitioner submits, at the outset, that the First Information Report has been lodged after a delay of five days for which no plausible explanation has been tendered. It is further submitted that the petitioner no.1 is own nephew of the informant and there was a dispute between them



and the FIR discloses that a dispute had taken place with regard to tying of some goats in the passage which was being opposed. It has been further submitted that free fight had taken place between both the sides and there is case and counter case and both the sides filed case with regard to the same incident (Annexure-3). In the FIR filed by the petitioner no.2 wherein there is specific allegation that petitioner no.1 was assaulted by the present informant by means of iron rod.

5. Learned APP for the State opposed the prayer for anticipatory bail on the ground that the injury caused to the informant is grievous in nature, however, the injury on Vishala Devi is simple in nature. However, he does not dispute the fact that there is single injury on the head of the informant with no bony parenchymal lesion.

6. Taking into consideration the facts and circumstances and considering the fact that the altercation happened between the parties on a very petty dispute and also considering the fact that there is case and counter case and injuries on both the sides, coupled with the fact that there is no repetition of blow on the part of the petitioner no.1, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below 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 the learned Court below where the case is pending/successor Court in connection with Amarpur P.S. Case No. 936 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to condition(s) that:

- (i) One of the bailors will be their own blood relative.
- (ii) The petitioners shall co-operate with the investigation, if not already concluded and make themselves available as and when so required, failing which the prosecution will be at liberty to move cancellation of their bail bond.

(Soni Shrivastava, J)

anand/-

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