

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22271 of 2026

Arising Out of PS. Case No.-228 Year-2025 Thana- Bhawanipur District- Bhagalpur

Miku Mandal @ Niku Madal S/o- Late Bhothar Mandal Village- Nagarpara,
P.S- Bhawanipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2026 Heard Mr. Ajay Kumar Jha, learned counsel for the

petitioner and Mr. Md. Matloob Rab, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
27.10.2025 in connection with Bhawanipur P.S. Case No. 228 of
2025, F.I.R. dated 26.10.2025 for the offences punishable under
Sections 191(2), 191(3), 190, 126(3), 115(2), 109, 103(1), 352,
351(2)(3) of the BNS, 2023.

3. According to prosecution case, all the accused
persons including this petitioner have brutally assaulted the
informant's father resulting into his death.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. It appears from the FIR that



although the petitioner is named in the FIR but there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner and due to previous dispute the present occurrence has taken place. In fact, the petitioner is physically handicapped having 45% disability and he move with the help of crutch and therefore, the allegation against him that he came at the place of occurrence is not admissible. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 27.10.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no specific allegation against him and he is a person with disability, 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 Additional Chief Judicial Magistrate-III, Naugachia, Bhagalpur in connection with Bhawanipur P.S. Case No. 228 of 2025, subject to 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 his absence on two consecutive dates without sufficient reason, his 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)

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