

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27163 of 2026

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

1. Pankaj Mandal S/O Late Bhothar Mandal R/O Village- Nagarpara, P.S- Bhawanipur, District- Bhagalpur.
2. Lukho Mandal S/O Late Bhothar Mandal R/O Village- Nagarpara, P.S- Bhawanipur, District- Bhagalpur.
3. Banti Mandal S/O Late Bhothar Mandal R/O Village- Nagarpara, P.S- Bhawanipur, District- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-05-2026 Heard Mr. Ajay Kumar Jha, learned counsel for the petitioners and Mr. Parmanand Prasad, learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who is in custody since 27.10.2025 in connection with Bhawanipur P.S. Case No. 228 of 2025 for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 103(1), 352, 351(2)(3) of the BNS.

3. The case of the prosecution, in brief, is that on 25-10-2025 at about 05:00 P.M. the informant's father, namely, Viveka Singh along with his brother and cousin went to the Bunti Mandal's doorstep in the informant's village to demand the outstanding amount. When the informant's father demanded



the money from Bunty Mandal then Bunty Mandal, Miku Mandal, Pankaj Mandal, Lukho Mandal started abusing the the informant's father. When they tried to stop them all the accused persons started beating the informant's father with the sticks, rods in their hands with the intention to kill him. For that assault, the informant's father was severely injured in his head and fingers. The cousin of the informant also injured very badly. Then all the accused petitioners hitting the informant's father with sticks while he was laying on the ground. When the villagers came there to see the incident, they threatened them and left the spot. After that the informant took them to the Narayanpur PHC for their treatment with the help of villagers. On seeing the informant's father's critical condition they were referred to the Mayaganj Hospital, Bhagalpur after that they came there and then the doctor referred the informant's father to the Patna for better treatment after seeing the critical condition of the informant's father. Then the informant took the deceased to the Patna and after seeing his father's condition was deteriorating near Naugachia Zeromile so he took his father to the Sub- divisional Hospital, Naugachia where the doctor declared him dead. All the F.I.R. named accused persons were brutally beaten the informant's father very badly for that reason



he was died.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent. It is next submitted that it appears from the FIR itself that due to dues amount, the present occurrence has taken place. Learned counsel for the petitioners next submits that there is a case and counter-case between both the parties. It is also submitted that although the petitioners are named in the FIR but from perusal of the FIR it appears that there is no specific allegation of assault or overt act against the petitioners rather the allegations are general and omnibus in nature and the police after investigation has submitted charge-sheet and petitioner is in custody since 27.10.2025.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioners and submits that petitioners have participated in the present crime in question and have assaulted the informant.

6. Considering the aforesaid facts and circumstances, let the petitioners, 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 ACJM-III, Naugachia, District-Bhagalpur in connection with Bhawanipur P.S. Case No. 228 of 2025, subject to the following



conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Gaurav Sinha/-

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