

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29588 of 2026

Arising Out of PS. Case No.-135 Year-2025 Thana- KAJRAILI District- Bhagalpur

1. Vijay Mandal S/o Shridhar Mandal R/o Village - Bahadurpur, P.S. - Karjaili, Dist. - Bhagalpur, Bihar, 813129.
2. Vishal Sagar S/o Vijay Mandal R/o Village - Bahadurpur, P.S. - Kajraili, Dist. - Bhagalpur, Bihar, 813129.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Piyush Kumar Pandey, Advocate
For the Opposite Party/s	:	Md. Matloob Rab, A.P.P.
For OP No. 2	:	Mr. Sumit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who is in custody since 10.02.2026 in connection with Kajraili P.S. Case No. 135 of 2025 for the offences punishable under Sections 126(2), 115(2), 109, 117(2), 303(2), 352, 351(2) and 3(5) of the BNS, 2023.

3. The prosecution case, in short, is that, he was going to his field on December 8, 2025, at approximately 12:00 PM. At that time, his brother & nephew, viz; 1. Vijay Mandal, and 2. Vishal Sagar, were already standing in their field. When he reached near the field, his brother, holding a stick, and his nephew, holding an axe, started threatening him. Then he started



recording a video on her mobile phone. At that moment, his brother struck him on the head with the stick he was holding, with the intention of killing him, which caused his head to split open, and he fell down. His nephew also struck him with the axe at the same time, aiming for his neck, but it hit his head instead. He fell unconscious there, but his brother and nephew thought he was dead. They both of them fled from the place of occurrence. His sister-in-law, 3. Sunita Devi, and 4. Sejal Sagar, took his gold chain from his neck and Rs. 15,000 from his pocket. Then all them left him there in the field and ran away. Villagers came to the field, found him unconscious, and took him to Kajraili Police Station.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent. It is next submitted that it appears from the FIR that due to land dispute the present occurrence has taken place and there is no intention on the part of the petitioners to kill anyone and at the spur of the moment the present occurrence has taken place and the injury sustained by the injured person is grievous in nature. It is next submitted that petitioners and informant are agnates to each other and petitioners are in custody since 10.02.2026.

5. The learned Additional Public Prosecutor for State



and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner that there is direct and specific allegation against the petitioners. Apart from that the injury sustained by the injured person is grievous in nature.

6. Considering the aforesaid facts and circumstances, 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 CJM, Bhagalpur in connection with Kajraili P.S. Case No. 135 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)

Gaurav Sinha/-

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