

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31792 of 2026

Arising Out of PS. Case No.-510 Year-2025 Thana- JHAJHA District- Jamui

Tukan Mandal S/O Late Narayan Mandal R/O Village - Shair, Police Station
-Jhajha, District - Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/O YYY R/O Vill.- Baijalpura, Ward No.- 1, P.S- Jhajha, Dist- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha, Advocate
For the State	:	Mr. Binay Krishna, APP
For the Informant	:	Mr. Shailesh Anand, Advocate
	:	Mr. Abhiyanshu Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 17-06-2026 Heard the learned counsel for the petitioner, learned
counsel appearing on behalf of the informant and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Jhajha P.S. Case No. 510 of 2025, for allegedly having
committed offence under Sections 115(2), 126(2), 118(1), 109,
74, 351(1), 352 and 3(5) of the B.N.S., Section 8 of the POCSO
Act and Sections 3(1)(S), 3(1)(r), 3(2)(va) of the SC/ST (POA)
Act.

3. As per the prosecution story, which has been lodged
on the basis of the written report submitted by the informant to
the effect that whenever the minor daughter of the informant



along with her friend used to go to school, the three accused persons named in the First Information Report, used to tease them, due to which the daughter of the informant and her friend stopped going to school. When she disclosed the incident to the informant, then on 24.10.2025, the informant along with his brother and sister went to the village of the accused persons. All the accused persons, including the petitioner herein started using filthy language, including caste related filthy language against the informant and others and also assaulted them. The specific allegation of assault is there against co-accused Ravi Mandal, who assaulted the informant on his head with a *tangi*, due to which he sustained injuries on his head. It has further been alleged that co-accused Kundan Mandal assaulted the informant on his hand and leg with a stick and co-accused Bhagirath Mandal assaulted the informant with *tangi* and rod due to which, the informant received twenty stitches on his head and he was referred to Sadar Hospital at Jamui.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that no specific allegation of assault is there against the petitioner or even the allegation of using filthy language or teasing the daughter of the informant is



not against the petitioner. He further submits that there is general allegation of using filthy language against all the accused persons, including the petitioner. The wife of the co-accused Kundan Kumar also lodged a First Information Report bearing Jhajha P.S. Case No. 510 of 2025, against the informant and five other persons. He further submits that the petitioner has got a clean antecedent.

5. Per contra, the learned counsel appearing on behalf of the informant submits that the petitioner and other accused persons used caste based filthy language against the informant and his family members in full public view and also assaulted the informant, due to which he sustained injuries on his head and he also received twenty stitches on his head. He further submits that the case is of 2025 and in the case diary, specific material has come that the petitioner and others used filthy language against the informant and his family members in full public view.

6. The learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner and his family members assaulted the informant and his family members due to which, the informant sustained injuries on his head.



7. Having heard the rival submissions and after going through the records and the case diary, it appears that there was a free fight in-between the parties for which, case and counter case has been lodged. The allegation of assault and teasing the daughter of the informant is not against the petitioner, rather the specific allegation of assault on the head of the informant is there against co-accused Ravi Mandal. Further, allegation of assault upon the informant is there against Kundan Mandal and Bhagirath Mandal. From perusal of the case diary, it would transpire that the witnesses in their statement recorded in paragraph nos. 15 and 16 have stated about the occurrence and have also stated that both the parties were using filthy language but, there is no statement to the effect that any caste related filthy language was used against the informant or his family members or the petitioner was involved in any such act. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, be released on bail furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court (POCSO), Jamui in connection with Jhajha P.S. Case No. 510 of 2025, subject to the conditions as laid down



under Section 482(2) of the B.N.S.S, with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps 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.

(Ritesh Kumar, J)

Pallavi/Mridula

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