

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42055 of 2026

Arising Out of PS. Case No.-34 Year-2026 Thana- SINGHESHWAR District- Madhepura

1. Umesh Rajbhar @ Umesh Mandal S/o Late Ramkhelawan Mandal Resident of Village- Rampur, Ward No.- 11, P.S.- Singheshwar, District- Madhepura
2. Narayan Mandal S/o Late Ramkhelawn Mandal Resident of Village- Rampur, Ward No.- 11, P.S.- Singheshwar, District- Madhepura
3. Upendra Rajbhar @ Upendra Mandal S/o Late Ramkhelawan Mandal Resident of Village- Rampur, Ward No.- 11, P.S.- Singheshwar, District- Madhepura
4. Sarvottam Mandal S/o Late Mahendra Mandal Resident of Village- Rampur, Ward No.- 11, P.S.- Singheshwar, District- Madhepura
5. Anjali Devi @ Anjani Devi W/o Narayan Mandal Resident of Village- Rampur, Ward No.- 11, P.S.- Singheshwar, District- Madhepura
6. Dilkhush Kumar S/o Umesh Mandal @ Umesh Rajbhar Resident of Village- Rampur, Ward No.- 11, P.S.- Singheshwar, District- Madhepura
7. Vijay Rajbhar @ Bijay Rajbhar @ Vijay Mandal S/o Upendra Mandal Resident of Village- Rampur, Ward No.- 11, P.S.- Singheshwar, District- Madhepura
8. Sarvottam Kumar @ Sarvottam Kumar Rajbhar S/o Narayan mandal @ Narayan Rajbhar Resident of Village- Rampur, Ward No.- 11, P.S.- Singheshwar, District- Madhepura
9. Om Prakash Rajbhar @ Reshamlal Kumar @ Om Prakash Kumar @ Om Prakash @ Resham Lal S/o Late Dharmi Rajbhar @ Late Dharni Mandal Resident of Village- Rampur, Ward No.- 11, P.S.- Singheshwar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.



2. The petitioners are apprehending arrest in connection with Singheshwar P.S. Case No. 34 of 2026, dated 23.01.2026, lodged under Sections 126(2), 127(2), 115(2), 76, 109(1), 303(2) & 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”) and under Section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against 16 named accused persons, including the present petitioners, alleging that the petitioners, along with five other co-accused persons, surrounded and assaulted the brother-in-law of the informant. They allegedly entered the courtyard of the informant. The specific allegation against Om Prakash Rajbhar @ Reshamlal Kumar @ Om Prakash Kumar @ Om Prakash @ Resham Lal (petitioner No. 9) is that he outraged the modesty of the informant. There is a further specific allegation against Sarvottam Mandal (petitioner No. 4) that he assaulted the informant with an iron rod. There is also a specific allegation against Anjali Devi @ Anjani Devi (petitioner No. 5) that she slapped the informant. Against the rest of the accused persons, there are only general and omnibus allegations, except for the allegation that Om Prakash Kumar fired from a pistol.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. Counsel further submits that the criminal antecedents of petitioner Nos. 4, 5 and 7 are clean, whereas the criminal antecedents of petitioner Nos. 1, 2, 3, 6 and 8 are not clean, as one criminal case is pending against each of them. So far as petitioner No. 9 is concerned, two criminal cases are pending against him. Counsel further submits that, as per the information received from the *pairwikar*, the informant and the petitioners' side are relatives, and the dispute took place over a petty matter.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is a specific allegation against petitioner No. 4 that he assaulted the victim with an iron rod, due to which grievous injury was caused. Counsel further submits that, against petitioner No. 9, there are allegations of firing and outraging the modesty of the informant, and allegations have also been made against the remaining petitioners. Counsel also submits that the injury reports of Nagendra Pd. Mandal and Narad Kumar disclose grievous injuries in nature and Narad Kumar was assaulted by petitioner No. 4.

6. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that, in the present case,



grievous injury has been caused by petitioner No. 4, and the allegations of firing and outraging the modesty of the informant are against petitioner No. 9.

7. In light of the submissions made above, it transpires to this Court that, except petitioner Nos. 4 and 9, against whom there are specific allegations of assault, outraging the modesty of the informant, and firing, the allegations against the remaining accused persons are general and omnibus in nature.

8. As such, in the present facts and circumstances of this case, let the petitioner Nos. 1, 2, 3, 5, 6, 7 & 8, namely, Umesh Rajbhar @ Umesh Mandal, Narayan Mandal, Upendra Rajbhar @ Upendra Mandal, Anjali Devi @ Anjani Devi, Dilkhush Kumar, Vijay Rajbhar @ Bijay Rajbhar @ Vijay Mandal and Sarvottam Kumar @ Sarvottam Kumar Rajbhar be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Madhepura, in connection with Singheshwar P.S. Case No. 34 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.



9. So far as the bail application of petitioner Nos. 4 and 9, namely, Sarvottam Mandal and Om Prakash Rajbhar @ Reshamlal Kumar @ Om Prakash Kumar @ Om Prakash @ Resham Lal, is concerned, the same is hereby rejected, with liberty to petitioner Nos. 4 and 9 that, in case they surrender before the Trial Court within four weeks, the Trial Court shall consider and pass orders on their surrender-cum-bail applications on the same day, without being prejudiced by the fact that their anticipatory bail application has been rejected by this Court. The Trial Court shall pass appropriate orders on their applications on their own merits in accordance with law.

(Dr. Anshuman, J.)

Aman Kumar/-

U		T	
---	--	---	--

