

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37935 of 2026

Arising Out of PS. Case No.-213 Year-2025 Thana- MAHALGAON District- Araria

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Birendra Mandal S/o Parmeshwar Mandal @ Sri Parmeshwari Mandal
Resident of village - Malharia Tola Rahika, ward no. 1, P.s.- Mahalgaon,
Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-06-2026 Heard learned Counsel for the petitioner and

learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Mahalgaon P.S. Case No. 213 of 2025, lodged on 09.12.2025, under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 118(1), 109, 76, 303(2) and 324(4) of the B.N.S.

3. As per the prosecution, FIR has been lodged against 11 named and twenty unknown accused persons



including the present petitioner. The allegation against the petitioner is that he has assaulted by sword upon Manoj Kumar Mandal due to which he sustained injury on his head. Further allegation that they have tried to outrage the modesty of the female members of the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that from the content of the FIR, it is very much clear that during agriculture season for the agricultural work dispute has arisen. Counsel submits that petition and informant both are resident of same village and for the same place and time there is case and counter case from both sides. The case lodged by the petitioner side is Annexure-P/2 and the case lodged by the informant side is Annexure-P/1. Counsel submits that the injury report of the Manoj Kumar has been attached. From the injury report, the nature of the injury has been found simple and all the injuries were lacerated and swelling in nature.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that injury report is indicating that the wound is either lacerated or swollen.

6. As such, in the present facts and circumstances of



this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria, in connection with Mahalgaon P.S. Case No. 213 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. And further conditions that:

I. One of the bailors shall be close relative of the petitioner.

II. 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

III. The Trial Court 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 Trial Court 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.

(Dr. Anshuman, J)

Mkr./Manshi/-

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