

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37971 of 2026

Arising Out of PS. Case No.-342 Year-2022 Thana- DHORAIYA District- Banka

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Amit Kumar Mandal @ Amit Kumar son of Ghanshyam Mandal Resident of
Village- Ghasiya P.S- Dhuraiya (Dhuraiya), Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, 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 Dhuraiya (Dhuraiya) P.S. Case No. 342 of 2022, lodged on 07.10.2022, under Sections 323, 307, 504 and 506 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against the petitioner alleging that he has attacked by knife on the neck of the informant but by the said knife injury has been caused on the hand of the informant.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that from the content of the FIR itself, the entire cause of dispute has been explained and from the content of the FIR, it has been very much clear that the informant used to keep the juice shop in front of the shop of the petitioner and petitioner has repeatedly asked not to stand the juice shop in front of his shop. It is due to this reason, scuffling took place between the two shopkeepers. Counsel for petitioner submits that with a view to teach lesson, this false case has been lodged by the said juice wala (informant) against the shopkeeper before whose shop he used to stand thela. Counsel submits that the antecedent of the petitioner is clean. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that from the FIR it is clear that petitioner is shopkeeper and due to standing of juice thela the dispute took place.

6. In the present facts and circumstances of this case and due to the reason that a dispute for running business, 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 A.C.J.M-I, Banka, in connection with Dhoraiya (Dhuraiya) P.S. Case No. 342 of 2022, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. And further condition that 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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