

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42845 of 2026

Arising Out of PS. Case No.-39 Year-2026 Thana- INDUSTRIAL District- Bhagalpur

Sunil Mandal S/o Late Unchas Mandal R/o Village - Meerachak, P.S -
Industrial Area, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 28.02.2026 in connection with Industrial P.S. Case No. 39 of 2026 for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2), 351(3), 3(5) of B.N.S.

3. According to prosecution case, one Sachin Kumar recorded by one Ghanshyam Kumar P.S.I. of P.S. Industrial Area dated 27.02.2026 at 3.00 A.M. at J.L.N.M.C.H., Bhagalpur, in short is that on 26.02.2026 at about 9.00 P.M. after having dinner at his house, Sunil Mandal (Petitioner) came and called him to the Ganga River bank near Bajrangbali Temple, where all accused persons name in the F.I.R. were already present. They were planning to bring liquor from Jharkhand to earn money



during Holi. When the informant opposed all four accused assaulted him causing injury. He somehow escaped and reached home, but the accused followed him there and again abused and assaulted him. On hearing the commotion, local people gathered and accused fled.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is next submitted that it appears from the FIR that there is general and omnibus allegation against the petitioner and co-accused person, namely, Mithun Kumar @ Mithun Mandal against whom there is similar allegation has been granted bail vide order dated 23.06.2026 passed in Cr. Misc. No. 39784 of 2026 passed by a Coordinate Bench of this Court and another co-accused person, namely Vicky @ Vikash has been granted the privilege of anticipatory bail vide ABA No. 619 of 2026 passed on 21.04.2026 by the learned Sessions Judge, Bhagalpur. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 28.02.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of nine cases other than



the present case but fairly submits that the petitioner is on bail in the pending matters.

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 A.C.J.M.- Ist, Bhagalpur in connection with Industrial P.S. Case No.39 of 2026, 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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