

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74629 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- HASANGANJ District- Katihar

Prakash Mandal S/O Jiwachh Mandal Resident of village- Mahmadiya, Ward
No. 14, P. S- Hasanganj, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 03-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 521 of 2025 arising out of Hasanganj P.S. Case No. 44 of 2025 instituted for the offences under Sections 126(2), 127(2), 115(2), 118(1), 117(2), 74, 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the accused persons including the petitioner allegedly came armed with *khanti* and spade, caught hold of the informant's husband and pressed his neck, and it is alleged that the petitioner assaulted him with a spade on the head. When the informant intervened, she was pushed, and another co-accused allegedly attempted to



assault her. On alarm, villagers arrived and the injured was taken to hospital.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The only specific allegation against the petitioner is that he assaulted on the informant's head with spade due to which he sustained grievous injuries. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.05.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Trial No. 521 of 2025 arising out of Hasanganj P.S. Case No. 44 of 2025,



subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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