IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76823 of 2026

CNR No. BRHC011069432026

Arising Out of PS. Case No.-27 Year-2025 Thana- RATWARA District- Madhepura

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Biru Mandal @ Biri Mandal Son of Pramod Mandal Resident of Village - Bathanaha, Ward No. 07, P.S.- Ratwara, District - Madhepura (Bihar)

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Akash Anand, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Ratwara P.S. Case No. 27 of 2025, lodged on 22.06.2026, under Sections 126(2), 115(2), 118(1), 303(2), 75(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 subsequently vide order dated 25.05.2026 by the ACJM-I Section 109(1) BNS was also added in the FIR.

3. As per the prosecution, an FIR has been lodged against six named accused persons. There is a specific allegation against the petitioner that he assaulted the victim on the chest with a 'bhala', due to which the victim sustained injuries. The accused persons also assaulted the other persons from the

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informant's side.

4. Learned counsel for the petitioner submits that from the contents of the FIR, it becomes crystal clear that the cause of dispute is the measurement of the land on which the pillar was constructed. Counsel further submits that both parties are residents of the same locality and they are well known to each other. During the measurement of the land, a scuffle took place between both the parties, and for the same date and place of occurrence, a case and a counter-case have been lodged.

5. Learned counsel further submits that one surprising aspect is that the occurrence is alleged to have taken place on 18.06.2025, whereas the FIR has been lodged on 22.06.2025. There is a delay of about 4 days, in spite of the fact that the distance between the place of occurrence and the police station is 5 kilometers. Learned counsel further submits that it is the specific stand of the petitioner that there is contradiction to the injury sustained to the informant because the injury report of Jannayak Karpoori Thakur Medical College and Hospital, Madhepura suggests the injury simple in nature whereas the injury report of C.H.C., Alamnagar suggests the injury grievous in nature.

6. Learned counsel for the State, on the other hand,

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opposes the prayer for bail, but fairly submits that there is a delay of about 5 days in filing the FIR. He further submits that the antecedent is not clean and he is custody since 25.05.2026.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of learned District and Additional Sessions Judge-II, Madhepura, in connection with Ratwara P.S. Case No. 27 of 2025, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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