

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74758 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- PHULPARAS District- Madhubani

1. Maheshwar Mandal S/o Rameshwar Mandal R/o Village- Dharmdiha, PS- Phulparas, District- Madhubani
2. Amira Devi W/o Maheshwar Mandal R/o Village- Dharmdiha, PS- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate.

For the Opposite Party/s : Mr.Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 18-04-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Phulparas P.S. Case No. 19 of 2025 registered for the offence punishable under Sections 191(2), 191(3), 190, 76, 115(2), 118(2), 109, 303(2), 329(4) and 324(5) of BNS and Section 27 of the Arms Act.

3. As per the allegation made in the F.I.R., the petitioners, along with other co-accused, with an intention to kill assaulted the informant causing head injury. It is specifically alleged that petitioner no.1 assaulted Shyam Mandal inflicting injury on his head by means of bhala.



4. Learned counsel appearing on behalf of the petitioners submitted that the present case arises out of a land dispute, giving rise to both a case and a counter case between the parties. It is contended that a sudden and fierce altercation took place, during which members of both sides sustained injuries. It is further submitted that the allegation against petitioner no. 2 is general and omnibus, and that she has been falsely implicated solely on account of being the wife of petitioner no. 1. The opinion of the doctor with regard to the injuries sustained by the victim has been kept reserved.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R., there is a case and counter case for the same incidence, the doctor has opined the injury sustained by the informant on occipital region and Shyam Mandal on his neck to be lacerated wound and the nature of injury has been kept reserved which creates doubt about sustaining injury by the victims, prima facie, it appears that the petitioner no.1 in self defence may have caused injury on the person of the informant and Shyam Mandal, the petitioners, above named, are directed



to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-II, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 19 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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