

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78621 of 2025**

Arising Out of PS. Case No.-297 Year-2024 Thana- MANIHARI District- Katihar

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1. Brahmddeo Mandal @ Brahmdew Mandal S/o Late Kheran Mandal @ Khiran Mandal
 2. Rintu Mandal @ Rintu Mudal, S/o Brahmddeo Mandal @ Brahmdew Mandal
Both are resident of Village/Mohalla-Baghmara (Baghamara), P.S.-
Manihari, District- Katihar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

2. The accused/petitioners seeks bail in connection

with Manihari P.S. Case No.297 of 2024 registered for the

offences punishable under Sections 189(2), 115(2), 126(2),

324(4), 109, 352 and 351(2) of the Bhartiya Nyaya Sanhita,

2023 (for short 'B.N.S.').

3. Both accused/petitioners are named in the FIR and

are in custody since 01.05.2025.

4. As per FIR, nine named accused persons including

the petitioners came to the courtyard of informant and started

to abuse the informant and family members, which upon



objection, co-accused persons damaged the property of informant worth of Rs.50,000/- and co-accused Sunil Mandal assaulted on the head of father-in-law of the informant due to which, he died in Bhagalpur Hospital during treatment.

5. It is submitted by learned counsel appearing for the petitioners that the occurrence was free fight in nature, as both parties are angates. It is submitted that the occurrence took place in the background of land dispute. It is submitted that as per FIR, no overt act appears attributed to this petitioner rather allegation of fatal assault is available against co-accused Sunil Mandal. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioners are men of clean antecedent.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions, as *prima facie* no overt act attributed against petitioners during the occurrence, where allegation of fatal assault appears available against co-accused Sunil Mandal, coupled with the fact that



investigation of this case is already completed, where petitioners remain in custody since 01.05.2025, accordingly, the petitioners, above-named, are directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Manihari P.S. Case No.297 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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