IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79346 of 2026

CNR No. BRHC011155472026

Arising Out of PS. Case No.-158 Year-2026 Thana- HASANPUR District- Samastipur

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Ramesh Mandal @ Ramesh Mahato S/O Surendra Mahato @ Surendra Mandal R/O Kharahiya, P.S.- Hasanpur, Distt.- Samastipur, Bihar- 845208.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mirityunjay Kumar, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 25-11-2026 Heard learned Advocate for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Hasanpur P.S. Case No. 158 of 2026, registered for the offences punishable under Sections 308(2), 308(3), 324(4), 351(2) and 3(5) of the BNS.

3. The allegation against the petitioner is that he demanded extortion money and, in the event of non-fulfillment of the said demand, the petitioner, with the help of other accused persons, demolished the boundary wall of the informant.

4. Learned Advocate for the petitioner, while taking this Court through the FIR, primarily contended that, in respect of an occurrence which took place in the night of 14.05.2026,

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the present FIR came to be instituted on 21.05.2026. The reason behind the false implication of the petitioner is stated to be a long-standing land dispute, resulting in the institution of cases and counter-cases by both sides. It is categorically stated that the list of cases, as mentioned in paragraph no. 3, is an outcome of the said dispute and that the said cases have either been instituted by the informant or his associates. In all the cases, however, the petitioner is presently on bail. The present case is stated to be one of malicious prosecution and, in fact, it is the informant and his family members, who are involved in illegal activities, against whom the local residents have also filed a complaint.

5. On the other hand, the learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner is carrying five criminal antecedents and, on this ground alone, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the rival submissions advanced by learned Advocate for the respective parties and taking note of the nature of the accusation, as also the delay in lodging of the FIR; besides the fact that in the said incident no injury has sustained to any of the person and the genesis of the offence is a

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land dispute, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Rosera, District- Samastipur in connection with Hasanpur P.S. Case No. 158 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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