

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81282 of 2025

Arising Out of PS. Case No.-252 Year-2025 Thana- BHARGAMA District- Araria

Devan Mandal @ Devana Mandal S/O Jhaksu Mandal R/O Vill.- Aadirampur,
Ward no. 06, P.S.- Bhargama, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate
For the State : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-01-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109, 103(1) and 3(5) of the B.N.S..

3. As per prosecution case, all the F.I.R. named accused persons, including this petitioner, assaulted son of informant with *lathi*, *danda* and iron rod as a result of which, he died on the spot.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that specific allegation for assaulting the son of the informant is against co-accused Rupesh Kumar @ Rupa Kumar



and Wakil Sharma by means of *Farsa* and iron rod. In the *post mortem* report, only one injury was found on the person of the deceased caused by sharp edged weapon which is attributed to co-accused Rupesh Kumar and no other injury was found on the person of the deceased. Thus, allegations levelled against this petitioner stand contradicted and falsified by the *post mortem* report. Moreover, co-accused Wakil Kumar has already been granted privilege of anticipatory bail by this Hon'ble Court vide order dated 09.12.2025 passed in *Cr. Misc. No. 85128 of 2025*. Petitioner claims clean antecedents.

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

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class,



Araria in connection with Bhargama P.S. Case No. 252 of 2025,
subject to condition as laid down under Section 482(2) of the
B.N.S.S..

(Prabhat Kumar Singh, J)

shashank/-

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