

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88841 of 2025

Arising out of PS. Case No.-495 Year-2024 Thana- KAHALGAON District- Bhagalpur

Bhavesh Mandal, S/o Vakeel Mandal, Resident of Village - Shiv Kumari Pa-
har, Patel Nagar, ward No.- 17, Police Station- Kahalgaon, Dist- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Manoj Kumar, Advocate
For the Opposite Party/s: Mrs. Meena Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Kahalgaon P.S. Case No. 495 of 2024 registered under sections 126(2), 115(2), 74, 76, 303(2), 352, 351(2) and 3(5) of the BNS.

3. The allegation in the First Information Report is that the petitioner along with one Sanjay Mandal followed the informant to a deserted place where she was abused and attempt was made to outrage her modesty and was also threatened that rape would be committed upon her.

4. Learned counsel for the petitioner submits that it would be evident from the perusal of the FIR itself that the alle-



gation upon the petitioner and another is confined to following the informant and attempting to outrage her modesty and threatening to commit rape upon her. However, there is no allegation of subjecting the informant to any sexual assault and as a matter of fact it has been admitted in the FIR itself that co-accused Sanjay Mandal was behind her as she had also got one Kahalgaon P.S. Case No. 292 of 2023 registered against him which is still pending.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the facts and circumstances of the case and considering the fact that the main motive for the occurrence rested against co-accused Sanjay Mandal and in the present case there is no sexual assault or any injury has been caused to the informant, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kahalgaon P.S. Case No. 495 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, subject to the condition laid down under Section 438(2) of the Code of Criminal



Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that he shall co-operate in investigation/trial and in case of non co-operation on his behalf the prosecution and the learned Court concerned would be at liberty to cancel his bail bond.

(Soni Shrivastava, J)

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