

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90858 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- PARBATTI District- Bhagalpur

Awadhesh Mandal S/O Nandlal Mandal R/O Vill.- Tulsipur, P.S.- Kharik,
Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Saurabh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Shashi Saurabh, learned counsel for the

petitioner as well as Mr. Anuj Kumar Shrivastava, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.08.2025 in connection with Parwatta P.S. Case No. 136 of
2025, F.I.R. dated 16.08.2025 for the offences punishable under
191(2), 191(3), 190, 126(2), 117(2), 118(2), 109, 74, 76, 352,
351(2), 351(3) of the Bharatiya Nyay Sanhita, 2023 and later on
103(1) of BNS added.

3. According to prosecution case, the informant
alleged that on 16.08.2025 at about 07:00 AM, the petitioner
along with other co-accused persons entered his house and tried
to snatch child from his grand daughter-in-law and when the
family members protested, the accused persons assaulted them



by means of dabiya.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. There is case and counter case between the parties. Although the petitioner is named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against him rather specific allegation of assault is attributed against co-accused persons, namely, Suraj Kumar, Sourabh Kumar and Ankush Kumar and at best the petitioner is the member of the mob. He further submits that the police after investigation submitted the charge sheet and the petitioner is in custody since 17.08.2025.

5. The learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and he was involved in the present crime in question and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned A.C.J.M-III, Naugachia in connection with Parwatta P.S. Case No. 136 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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