

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91248 of 2025

Arising Out of PS. Case No.-248 Year-2024 Thana- KUMAR KHAND District- Madhepura

1. Raj Kishor Kumar @ Raj Kishor Mandal, aged about 35 years (male) S/O Late Deep Narayan Mandal
2. Nand Kishor Kumar @ Nand Kishor Mandal, (male) aged about 38 years S/O Late Deep Narayan Mandal
3. Akleswari Mandal aged about 55 years (Male) S/O Late Baijnath Mandal
4. Ram Kumar @ Ram Kumar Mandal aged about 23 years (Male) S/O Akleshwary Mandal
5. Arun Mandal, aged about 45 years (Male) S/O Late Maheshwari Mandal
Petitioner Nos. 1 to 5 residents of Village- Jorabarganj, P.S- Kumarkhand, Dist.- Madhepura.
6. Jyotish Mandal aged about 40 years (Male) S/O Late Srikant Mandal.
7. Chanchal Kumar @ Chandan @ Chandan Kumar (male) aged about 25 years S/O Late Srikant Mandal
Petitioner Nos. 6 and 7 residents of Village- Jay Rampur Murliganj, P.S- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-02-2026 Heard Mr. Sunil Kumar Yadav, learned counsel

 appearing on behalf of the petitioners and Mr. Brajendra Nath

 Pandey, learned APP for the State.

2. At the outset, learned counsel appearing on behalf
of the petitioners seeks to withdraw the present bail application
on behalf of petitioner no. 5.

3. Accordingly, the present bail application is



dismissed as withdrawn on behalf of petitioners no. 5.

4. The petitioners no. 1 to 4 and 6, 7 seek pre-arrest bail in connection with Kumarkhand P.S. Case No. 248 of 2024 registered for the offence punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 109, 74, 303(2), 324(4), 352 and 351(2) of the BNS.

5. As per the allegation made in the FIR, petitioners along with other accused persons had assaulted the informant and his family members causing injuries and had also tried to outrage the modesty of daughter-in-law of the informant.

6. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. General and omnibus allegation has been levelled against the petitioners. Both the parties, who are agnate, were involved in free fight with respect to a piece of land. Injuries sustained by the informant side have been found to be simple in nature. On these grounds, the petitioners no. 1 to 4 and 6, 7 seek to be released on pre-arrest bail.

7. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

8. Considering the rival submissions made on behalf



of the parties, as well as, the fact that general and omnibus allegation has been levelled against the petitioners. Both the parties, who are agnate, were involved in free fight with respect to a piece of land. Injuries sustained by the informant side have been found to be simple in nature, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

9. The petitioners no. 1 to 4 and 6, 7, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on 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 District Court where the case is pending, in connection with Kumarkhand P.S. Case No. 248 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

10. The learned District Court is directed to verify the criminal antecedent of the petitioners no. 1 to 4 and 6, 7 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners no. 1 to 4 and 6, 7 as what has been stated in paragraph no. 3, this order will lose its force automatically.

11. It is, however, open to the respective parties to



settle their dispute outside the Court amicably in light of the law laid down by the Apex Court in the case of *Naushey Ali & Ors. Vs. State of Uttar Pradesh & Anr.* reported in *(2025) 4 SCC 78*.

12. If the parties desire to resolve the dispute outside the Court amicably by way of mediation, learned District Court is directed to take necessary steps to issue notices to the respective parties and upon their appearance, refer the matter before the learned Mediator of the District Mediation Center by fixing a date for appearance of the parties to give effect to Mediation 2.0.

13. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

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