

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BHAGALPUR

Anticipatory Bail Application No. 757/2026

Goradih P.S. Case No. 78/2026

Sanjay Mandal & others Versus The State of Bihar

Counsel for the Petitioners :- Sri Ajay Kumar Sinha, Advocate.

For the State :- Sri Satya Narayan Prasad Sah, Public Prosecutor.

Date of Order	Order with Signature of the Court
1	2
25-07-2026	1. This anticipatory bail application has been filed on behalf of accused-petitioners, namely, 1. Sanjay Mandal, 2. Kundan Kumar and 3. Savitri Devi, under section 482 B.N.S.S., seeking pre-arrest bail, in connection with Goradih P.S. Case No. 78/2026, instituted for offences u/s 126(2), 115(2), 74, 303(2), 351(2), 117(2) & 3(5) of BNS. 2. Heard Sri Ajay Kumar Sinha, learned counsel for the petitioners and Sri Satya Narayan Prasad Sah, learned Public Prosecutor for the State. 3. The prosecution case in nut-shell is that on 02-04-2026, the informant Pratima Kumari along with her mother-in-law and father-in-law went to their field for harvesting the wheat crops where they saw that their crops were being harvested. The informant protested on which Sanjay Mandal and Savitri Devi attacked on the mother-in-law and father-in-law of informant with sickle and rod due to which they became seriously injured and fell down. Thereafter, Kundan Kumar also assaulted the informant's mother-in-law and father-in-law with rod. It is further alleged that Kundan Kumar also assaulted the informant with rod and tried to cut her with sickle due to which she became injured and fell down. It is further alleged that when the informant fell down then with bad intention Kundan Kumar misbehaved with her due to which her Blouse and Saree torn and in course whereof he took out chain from the neck of informant. He also threatened with dire consequences, if she disclose about the occurrence to any one. 4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Entire prosecution case is false and concocted. Except sections 74 and 303(2) BNS other sections are bailable in nature and in the facts and circumstances of the case section 74 BNS is not at all

Contd. 25-07-2026	applicable against the petitioners whereas the allegation under section 303(2) BNS is ornamental in nature and has been added only with a view to make the allegation more serious. Moreover, no specific overt act has been assigned against the petitioners rather the allegation is general in nature. Both parties are neighbors and there is land dispute between them and for that reason, the present case has been lodged falsely only with a view to harass the petitioners. He further submits that as per injury report the injuries sustained by the injured persons are simple in nature. During investigation, the petitioners were granted benefit u/s 35(3) of BNSS and there is nothing on the case record to show that the petitioners misused the said privilege and on completion of investigation charge-sheet has been submitted in this case, therefore, there is no need of further custodial interrogation. The petitioners bear clean antecedent and out of three petitioner one petitioner is woman. 5. The Learned P.P. though opposed the prayer for grant of anticipatory bail to the petitioners but he could not controvert the submissions of learned counsel of the petitioners that the allegation against the petitioners are general and omnibus in nature and on completion of investigation charge-sheet has been submitted in this case. Further, during course of investigation, the petitioners were granted benefit of section 35(3) BNSS. He further submits that as per injury report, the injury sustained by the injured persons are simple in nature. He referred para 27 of the case and submitted that the petitioners bear clean antecedent. 6. After having gone through the documents and the materials available with the case record as well as case diary, it appears that though the petitioners are named in the FIR against whom there is allegation that they assaulted the informant and her in-laws and also misbehaved with the informant. From perusal of injury reports of injured persons, it appears that the injuries sustained by them are simple in nature. On completion of investigation, charge-sheet has been submitted in this case and during course of investigation, the petitioners were granted benefit u/s 35(3) BNSS. As per para 27 of the case diary, the petitioners bear clean antecedent.
------------------------------	---

Contd.
25-07-2026

7. Considering the aforesaid facts and circumstances of the case, as discussed above, the anticipatory bail application of petitioners is hereby allowed. It is ordered that in the event of arrest or surrender before the learned court below within four weeks from the date of this order, the above named three petitioners shall be released on bail on furnishing bail bonds of Rs. 15,000/- each with two sureties of like amount each to the satisfaction of learned court below subject to the conditions as laid down u/s 482 of BNSS with condition that the petitioners will co-operate in the trial. Further, the petitioners are directed not to indulge themselves in similar nature of offence in future and if, it is found that they indulged themselves in similar nature of offence, their bail shall liable to be cancelled by the trial court itself.

Sd/-
(Dipankar Pandey)
Principal Sessions Judge.

Date of Judgment/Order	25-07-2026
Date of Reserving Judgment/Order	N/A
Uploading Date	27-07-2026
Uploaded by	R.B.D. Tripathi, Steno.