

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Anticipatory Bail Petition No. 597/2026

(Arising out of **Kahalgaon P.S. Case No. 387/2021**)

U/s 147, 148, 149, 341, 307, 384, 504, 506 IPC.

Digamber Mandal @ Digambar Kumar, age 35 years, S/o Prem Narayan Mandal**Petitioner**
Versus

The State of Bihar**Opp. Party**

For the Petitioner/s : Mr. B.N. Dubey, Ld. Advocate.
For the State : Mr. Rajesh Kumar Singh, Ld. A.P.P.

Date of order	Order with signature of the court
1	2
07-05-2026	This is a petition filed on behalf of the above named accused-petitioner for grant of anticipatory bail who apprehension his arrest in connection with Kahalgaon P.S. Case No. 387/2021 for offences punishable U/s 147, 148, 149, 341, 307, 384, 504, 506 IPC. On behalf of the petitioner a certificate has been given in bail petition that earlier no anticipatory or regular bail petition has been filed on his behalf either before the Court of the Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. In para-3 of bail petition, accused-petitioner has given certificate that he has five criminal antecedents bearing G.R. No. 626/2008, G.R. No. 1202/2007, G.R. No. 97/14, G.R. No. 2446/11 and S.T. No. 757 wrongly mention the year as 2027 in which petitioner is on bail and all cases are registered by the family members of the informant due to land dispute. The prosecution case in short is that on 03.06.2021 informant was plucking mangoes from his mango orchard with the help of labourers. In the mean time at about 03:00 hrs Umesh Prasad Singh, Jogi Mandal, Digambar Mandal, Vijay Mandal, Hareram Mandal and Dinesh Mandal who were come out from Jail on bail before some days, came and said that first you gave ransom amount Rs. 02 lac, then only you can take the mangoes. Informant told that let the vehicle of mango go, I would give you ransom later. On this Bijay Mandal ordered to other co-accused person to kill and other co-accused put country made gun on temple of informant, then informant fell down in the feet of Bijay Mandal and praying for save his life and after that informant gave Rs. 25,000/- to Bijay Mandal. Thereafter, Bijay Mandal stopped to other co-accused to fire and said to informant that firstly informant had to pay rest ransom Rs. 01 lakh 75,000/- and after that informant can pluck mangoes from orchard. Informant has not tried to pluck mango for some days. It is

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Anticipatory Bail Petition No. 597/2026

(Arising out of **Kahalgaoon P.S. Case No. 387/2021**)

U/s 147, 148, 149, 341, 307, 384, 504, 506 IPC.

Contd...P/2 07-05-2026	further alleged that on 13.06.2021 at about 06:00 hrs informant went to walk in his orchard then all above named petitioners including two unknown persons having armed with weapons have surrounded the informant. Other co-accused asked the informant that why did you not pay rest ransom money, the time which was given to you, has already lapsed. Informant replied that he has no money then Jogi Mandal ordered other co-accused to beat then other co-accused struck on the head of the informant by knife due to which he sustained injury and accused Digambar Mandal has moved the hand of the informant due to which he fell down and raised hulla. Then, on the order of Jogi Mandal, Digambar Mandal, Vijay Mandal and Dinesh Mandal pressed the neck of informant by towel with intent to kill. On hearing the sound of informant Pankaj Kumar Singh, Chandan Kumar and some other villagers came there then all accused persons including petitioners fled away and after that Chandan has taken informant to the concerned police station. Hence, this FIR is lodged. The learned counsel for the petitioner submitted that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. It has further been submitted that both parties are own Gotiya and a land dispute is going on bearing T.S. No. 181/2004 and another co-accused namely Umesh Pd. Singh has been filed a complaint case against the informant bearing Complain Case No. 1014/21 and other in which petitioners parent with his sister are witness, so that this false case as bringing by the informant against the accused-petitioner and alleged sections are not made out against the accused-petitioner and there is only allegation against this accused-petitioner that he has wrapped the Gamcha around the neck and the said Khatiyani is in the name of fore father of the petitioner but in new survey the Khatiyani is registered in the name of fore father of informant hence both the parties are quarreling for that land. On such basis, it has been prayed that petitioner be enlarged on anticipatory bail. On the other hand, learned Additional Public Prosecutor for the State opposed the prayer for anticipatory bail of the petitioner. Heard both the parties. Perused the case record as well as case diary and on perusal the same it
---------------------------	---

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Anticipatory Bail Petition No. 597/2026

(Arising out of **Kahalgaon P.S. Case No. 387/2021**)

U/s 147, 148, 149, 341, 307, 384, 504, 506 IPC.

Contd...P/3 07-05-2026	transpires that there is allegation against this accused-petitioner that he alongwith other co-accused persons have assaulted the informant by which he sustained injury. Para-2 of the case diary is the re-statement of informant who reiterated the prosecution case. Para-5 and 6 of the case diary are the statements of witnesses who have also supported the allegations levelled against the petitioners. On perusal of the injury report of injured Chandan Shekhar Azad the doctor has found lacerated wound on head of size 1" x ½" x ½" which are the vital part of the body. There are allegations against this accused-petitioner that he alongwith other co-accused persons have demanded ransom amount from informant and obtained Rs. 25,000/- and on refusal to pay the remaining amount they assaulted him. Para-42 of the case diary reveals that accused-petitioner has five criminal antecedents which shows that petitioner is habitual offenders. Further, regular bail of other co-accused persons has already been rejected by the Court vide in B.P. No. 1278/2025 on 12.12.2025. Further, investigation against this accused-petitioner is still pending. Keeping in view the nature of the offence, complicity & conduct of the accused petitioner, severity of punishment and submissions of the learned counsel for the parties, the allegation against the petitioner is serious in nature. So, I am of the view that applicant/petitioner does not deserve for anticipatory bail. Accordingly, his prayer for anticipatory bail is hereby Rejected. Sd/- Additional Sessions Judge-II Bhagalpur
---------------------------	---