

In The Court of Additional Sessions Judge - XIII, Bhagalpur

A.B.P. No. - 616 / 2026

[Arising out of Jagdishpur(Goradih) P.S. Case No.03/24]

Mukesh Mandal & others.

..... petitioners

Vrs.

The State of Bihar

..... Opposite party

ORDER

23.04.2026

This anticipatory bail petitioners has been filled on behalf of petitioners **Mukesh Mandal, Rudal Mandal, Rajni Devi and Reena Devi** who are apprehending their arrest in connection with **Jagdishpur(Goradih) P.S. Case No.03/24** , U/s – **341, 323, 308, 427, 504, 34 IPC** which has been registered on the basis of written application of the informant namely, Lalita Devi which is pending before the Court of **Sri Om Prakash, JMFC, Bhagalpur**. A copy of this anticizapatory bail petition has been served to Ld. A. P. P. for the State.

2. Heard Md. Perweiz Khan Ld. counsel for the petitioners as well as Sri Manoj Kumar learned A.P.P. for the State on the A.B.P.

3. The learned advocate on behalf of petitioners has briefly submitted that no other anticipatory or regular bail petition has been filed on behalf of the petitioners either before the court of the Ld. Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna except this anticipatory bail petition. It is further submitted that the petitioners are innocent and have committed no offence as alleged in the F. I. R. The petitioners have been falsely implicated due to an ongoing family and property dispute over the partition of a house. The informant and the petitioners are closely related; the informant's husband is the brother of the accused persons. The allegations pertaining to Section 354 IPC are entirely false and fabricated to make the case non-bailable. Petitioner No. 1, Mukesh Mandal, is already on bail in a previous Sessions Case (855/17), while the other applicants possess clean antecedents. The petitioners are ready to abide all the terms and conditions and they are ready to furnish bail bond with sufficient sureties as per direction of the court. Prayer has been made that anticipatory bail petition of the petitioners be allowed.

4. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners. He has said that there are sufficient materials available on the case record against the petitioners. Prayer has been made to dismiss the anticipatory bail application of the petitioners.

5. As per written application of the informant namely, Phulan Kumari, Case of the prosecution in brief is that on 03-01-2024 at around 7:00 PM, she was getting a wall constructed on her share of the land. Her brother-in-law (Bhaisur) Mukesh Mandal stated that he had extended the wall 9 inches towards his side. Saying this, he kicked and broke her wall. When informant asked him not to break the wall, he started verbally abusing her. When the informant forbade him from abusing, Mukesh Mandal, Rudal Mandal, Rajani Devi, Rishi Mandal, Reena Devi started beating her with lathis (bamboo sticks) and wooden sticks. Mukesh Mandal hit her on the head with a lathi he was holding in his hand, due to which she sustained head injury due to which blood started oozing out. When my elder sister-in-law (Gotni) Anita Devi, came to save her Rishi Mandal grabbed her by the hair, threw her on the ground, and with wrong intentions, made her half-naked and assaulted her with fists and punches. They snatched informant's husband Oppo company mobile phone and smashed it to pieces. Furthermore, they

locked the house and threatened that if they(informant) entered the house, they would kill them(informant). Hence the FIR was registered.

6. Heard ld. counsel for both the sides and perused the bail application. It is alleged that on 03.01.2024, a dispute arose between informant and the petitioners regarding the construction of a wall on the partitioned land. It is alleged that the petitioners objected to a 9-inch extension of the wall and subsequently dismantled it. When opposed, the petitioners and co-accused Rishi Mandal allegedly assaulted the informant and her sister-in-law with lathis and fists, causing head injuries to the informant. Outraged the modesty of her sister-in-law and broke a mobile phone and issued death threats.

Paragraph 29 of the C.D. contains injury report of informant, Phulan Kumari, which suggests "small swelling on forehead" and classified the nature of the injury as **Simple**. Paragraph 30 contains injury report of Anita Devi which suggests "small abrasion on cheek" and nature of injury is classified as **simple**. Paragraph 41 of the C.D. suggests that statutory notices under Section 35(i)(ii) of the BNSS duly served upon all the petitioners. Charge sheet has already been submitted against the accused persons. There is one criminal antecedent against Petitioner No. 1, Mukesh Mandal in a previous Sessions Case (855/17), in which he is on bail, while the other applicants possess clean antecedents.

7. Therefore, considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioners **Mukesh Mandal, Rudal Mandal, Rajni Devi and Reena Devi** is thereby **ALLOWED** on furnishing bail bond of Rs. 10,000/- with **two surety** of like amount each with following conditions:-

- (a) Bail bond shall be furnished within 15 days of the receipt of this order in the concerned court.
- (b) The petitioner shall file undertaking mentioning their mobile number that they will not change their mobile number without informing the court.
- (c) The petitioner will not influence or temper with the evidence and shall co-operate in trial of the case.

The copy of the order be sent to the concerned court for information and needful.

(Dictated & corrected by me)

Sd/-
PRASHANT KUMAR JHA
Addl. Sessions Judge - XIII,
Bhagalpur
23.04.2026

Date of Judgment / Order	23.04.2026
Date of Reserving Judgment / Order	-
Uploading Date	27.04.2026
Uploaded by	Rahul Kumar, Stenographer

Memo:_____ Dated_____

Copy forwarded to the court of _____
for information and needful.

DASJ-XIII
Bhagalpur