

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
DIMPAL KUMAR VS. THE STATE OF BIHAR
A.B.A. NO. - 333 Of 2026
Jamui P.S Case No. 660/2025

ORDER

Present: Sudhir Sinha

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01.04.2026

This anticipatory bail petition has been filed on behalf of Petitioner **Dimpal Kumar @ Dimpal Mandal** who is apprehending arrest in Jamui P.S. Case No. 660/2025 registered u/s- 303(2), 351(2), 3(5) of B.N.S, the copy of which is served upon the Id. P.P.

The Id. Counsel for the petitioner has submitted that the petitioner is quite innocent. The petitioner has got one criminal case. No other bail petition has been filed on behalf of petitioner either in this Id. Court or before the Hon'ble High Court, Patna except the present one. The Police has not given notice u/s- 35(3) of BNS to the petitioner. All sections areailable except section 303(2) of BNS. The petitioner has been falsely implicated in this case due to some village mischief mongers. The alleged occurrence has occurred on 05.12.2025 and the informant given his written petition in Jamui P.S on 13.12.2025. Nothing has been recovered from the possession of the petitioner and he was not even present at the alleged P.O. The co-accused persons have been granted bail by this Court vide A.B.A No. 175/2026 dated 26.02.2026. The case of petitioner stands on similar footing. The petitioner is man of means, there is no chance of his absconding and he is ready to furnish bail bond to the satisfaction of the Id. Court. In such view the Id. Counsel prayed to admit the petitioner to anticipatory bail.

The Id. Addl. PP opposed the prayer for bail.

On perusal of the case diary it is clear that the petitioner is F.I.R. named accused. The prosecution case as per written information of Mukesh Yadav is that on 05.12.2025 at about 12:00 in the night when he was sleeping at his bathan suddenly his cow, buffalo started belching. He woke up and saw that Saurav Kumar, Chhotu Yadav, Kuldip Yadav, Dimpal Mandal, Sahevan Yadav all loaded his two buffaloes on the pickup van. When one buffalo untied the rope then he reached there and started shouting. The accused persons told him and his family that if he makes noise, they will kill the entire family. They

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threatened him to steal his buffalo again and again. The police inspector is in his pocket, hence informant will not be able to do anything. They threatened him that if he approached police, his entire family will be killed. The informant in his re-statement in CD para-2 has stated the same facts. The witnesses in CD paras-8, 13, 14 and 15 have fully supported the incident. In CD para-23 there is criminal antecedent against the petitioner. Section 303(2) of BNS deals with punishment for theft and the imprisonment is upto 3 years which is non-bailable in nature and for Section 351(2) of BNS, the punishment extend upto 2 years, the offence is bailable. The co-accused petitioners have been granted bail by this Court. The case of petitioner stands on similar footing. The petitioner was not given notice u/s-35(3) of B.N.S.S.

Therefore in view of the facts and circumstances of this case having regard to the submission of both parties, this anticipatory bail petition is **allowed**. The petitioner **Dimpal Kumar @ Dimpal Mandal** in the event of his arrest or surrender is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the concerned Court.

Dictated & Corrected

District & Addl. S.J -II, Jamui
01.04.2026