

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-KATIHAR
(A.B.P. No. 714/2026)

In the matter of

1. Nakul Mandal aged about 38 years S/o Late Badri Mandal
R/o- vill- Haweli Tola P.S. Katihar Muffasil, District- Katihar

.....Accused/petitioner.

Vs

State of Bihar.....Opposite Party.

Katihar Muffasil P.S. Case No. 163/2026

U/S- 126(2), 115(2), 127(2), 75, 76, 303(2), 352, 351(2), 3(5) of the B.N.S.

Ld, advocate for petitioner- Shri S.S. Jha

Ld, A.P.P. for the State- Shri Md. Ajaz Alam

ORDER

23-06-2026- This anticipatory bail petition has been filed on the behalf of accused-petitioner namely Nakul Mandal who is apprehending his arrest in connection with aforesaid case.

Heard the ld. counsel Shri S.S. Jha appearing on the behalf of the petitioner and Ld. A.P.P. Shri Md. Ajaz Alam appearing on the behalf of the state.

According to FIR prosecution case in nutshell is that informant to this case namely -X lodged a written report before SHO Katihar Muffasil alleging therein that on dated 19.04.2026 at about 08:00 O'clock she was binding the bundle of Jalawan (fire wood). In meantime accused came near her by motorcycle and abused her and he forcefully dragged her and taken her into the maize field and having thrown down he attempted to commit rape. Informant has further alleged that he also got her half nude and in that course her clothes also got torn. But anyhow she manage to flee from there and reached at her house. Accused-petitioner also went to his house due to fear of other persons and from his house he sent his wife and one another woman at her house and aforesaid both women entered into the house and brutally assaulted to her and they also caused mischief with the domestic articles. Further, aforesaid both women snatched Nathiya of gold and silver chain from the neck of her son. Informant has further alleged that earlier to this accused-petitioner had attempted to commit wrong with her.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that the petitioner is quite innocent and he has committed no offence at all and he has falsely been implicated in this case due to local politics. He has further submitted that all the sections are bailable in nature except section 75, 76, of the B.N.S. and the allegation levelled against the petitioner is totally false and fabricated. Accused-

petitioner has got two criminal history. Accordingly, it has been prayed to allow the said anticipatory bail petition.

Per contra, learned A.P.P. has vehemently opposed the prayer for anticipatory bail and has submitted that allegation as levelled against the petitioner is very serious in nature so, petitioner doesn't deserve for anticipatory bail.

Heard the both parties and perused the case record from the perusal of case record it is evident that there is allegation against the petitioner that he attempted to commit rape with victim to this case namely -X. Further, victim has clearly stated in her written application that earlier to this accused-petitioner had made attempt to commit wrong with her. Further, from perusal of the bail petition it is evident that present petitioner has also bad criminal antecedent vide Mufassil P.S. case no. 252/2025 u/s 126(2), 115(2), 118(1), 152, 357(2), 3(5) of the B.N.S. and Mufassil P.S. case no. 210/2021 u/s 448, 341, 323, 354A, 504, 379 of the I.P.C.. Further, victim has fully supported her case in her re-statement recorded by the I.O. to this case. Further, one another witness of case diary has also supported the case of prosecution and investigation is still pending against the petitioner.

So, having considered the above facts as well as submissions made by Ld. A.P.P., I am not inclined to grant the privilege of anticipatory bail to the aforesaid accused-petitioner. Hence, this anticipatory bail petition filed on behalf of the accused-petitioner namely Nakul Mandal is hereby rejected.

**Addl. Sessions. Judge-II
Katihar**

Date of Order	23.06.2026
Date of Reserving Order	N/A
Uploading Date	09.07.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar