

Kanhaiya Jee Choudhary
Sessions Judge, Purnea.
ABP No.836 of 2026/CIS No.836 of 2026
(arising out of Kasba P.S. Case No.198 of 2026)
Doman Mandal and another Versus State
Date of Order : 16.6.2026.

COURT OF SESSIONS JUDGE, PURNEA

A.B.P. No.836 of 2026/CIS No.836 of 2026

1. Doman Mandal, aged about 47 years S/o Fudu Mandal and
 2. Madan Mandal, aged about 55 years S/o Late Asari Mandal
- Both R/o village Fulwariya, P.S. Kasba, District Purnea.
 .. Petitioners.

Versus

State

.. Opp.Party.

Date of order or proceeding	Order with signature of the court	Office action taken with date
16.6.2026	Anticipatory Bail Petition filed on behalf of the petitioners, namely, 1.Doman Mandal and 2. Madan Mandal, who are apprehending their arrest in connection with Kasba P.S. Case No.198 of 2026 registered for the offence under sections 105 and 3(5) of the BNS, 2023 is put-up for hearing. 2. Heard Sri Tapes Kumar, learned counsel for petitioners and Sri U.K. Keshari, the learned P.P. I/c appearing for the State. 3. As per written report of the Informant PSI of Kasba P.S., the case of prosecution, in brief, is that on 10.5.2026 at about 2.12 hours, Informant along with other police personnel during the course of patrolling received information on mobile that thief was entered into the house of accused Rakhal Mandal, villagers caught and kept him. On this, Informant reached there saw that one person was lying on PCC road in injured condition and 8/10 persons were present there. On enquiry, Rakhal Mandal told that while he was sleeping, the deceased entered into his house and attempted to abduct his grandson, who was sleeping behind him. On this, Rakhal Mandal woke-up and caught him and raised hullah. On hullah, his son came along with villagers and mob assaulted him brutally and sustained injuries. Informant with the help of other police personnel brought the Injured to Health Centre, Kasba for treatment from where doctor referred him to GMCH, Purnea and during treatment that person succumbed to his injuries. Doctor of GMCH, Purnea of unknown person	

Contd. 16.6.2026	conducted post-mortem of the dead body. Informant detained co-accused persons, namely, Rakhal Mandal and his son Shambhu Kumar within the premises of Police Station. On being asked, they disclosed that co-accused persons including these petitioners named in FIR and 25-30 persons firstly tied the apprehended thief from rope and assaulted them and kept on the PCC road. Thereafter, informed to local Mukhiya. 4. The learned counsel for the petitioner has submitted that petitioners have falsely been implicated in this case due to bad village politics and there is no specific overt-act against the petitioners. The name of these petitioners cropped in this case on the basis of statement of co-accused Rakhal Mandal except that there is no legal evidence against the petitioners regarding their involvement in the alleged occurrence. The alleged occurrence alleged to be happened suddenly against the crime. There is no eye witness of the occurrence to support the allegation levelled against the petitioners. Petitioners are men of clean antecedent and they are ready to comply all the conditions as imposed by this court. So, prayed for bail. 5. On the other hand, the learned P.P. I/c opposed the prayer of bail of the petitioners. 6. Perused the case record as well as case diary. From perusal it appears that petitioners are named in the FIR with allegation that while petitioner No.1 was sleeping, the deceased entered into his house and attempted to abduct his grandson, who was sleeping behind him. Petitioner No.1 woke-up and apprehended him and raised hullah. On hullah, co-accused Shambhu Kumar came along with villagers and mob assaulted him brutally due to which he died. From perusal of the case diary and report of FSL, Bhagalpur, it appears that in the alleged occurrence, one unknown person died and in Forensic Examination of Crime Scene Report of FSL, Bhagalpur has found suspected death of male of unknown male, aged about 35 years but there is no specific	
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16.6.2026

overt-act against the petitioners that they were involved in assaulting the deceased due to which deceased died. The name of these petitioners cropped up in this case on the basis of statement of co-accused Rakhal Mandal. Informant is also not eye witness of the occurrence. There is absence of intention of petitioners and others to commit death of the deceased. All the occurrence occurred on sudden and no preparation for the said occurrence was there. The occurrence took place due to retaliation of public against the crime and criminal. It is clear that the death of deceased was due to assault but there is no specific allegation the petitioners. Petitioners are men of clean antecedent.

7. Considering the fact and circumstances discussed above, there is no specific overt-act against the petitioners regarding assault the deceased and name of these petitioners cropped up on the basis of statement of co-accused Rakhal Mandal and there is no eye witness of the alleged occurrence and petitioners are men of clean antecedent, the prayer of anticipatory bail of the petitioners,namely,**1.Doman Mandal and 2.Madan Mandal** is allowed. They, in the event of surrender within a fortnight from the date of receipt of this order before the Court below or arrest, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, subject to the conditions as laid down u/s. 482 BNSS.

(Dictated & corrected by me)
Sd/-
Sessions Judge,Purnea.

Date of Order	16.06.2026
Date of Reserving Judgment/ order	16.06.2026
Uploading Date	18.6.2026
Uploaded by	Kumar Sanjay,Steno

*Kanhaiya Jee Choudhary
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