

Kanhaiya Jee Choudhary
Sessions Judge, Purnea.
BP No.591 of 2026/CIS No.591 of 2026
(arising out of Kasba P.S. Case No.198 of 2026)
Rakhal Mandal and another Versus State
Date of Order : 16.6.2026.

COURT OF SESSIONS JUDGE, PURNEA

B.P. No.591 of 2026/CIS No.591 of 2026

1. Rakhal Mandal, aged about 72 years S/o Late Hanuman Mandal alias Thunnu Mandal and

2. Shambhu Kumar, aged about 20 years s/o Rakhal Mandal.

Both R/o village Fulwariya Colony, P.O. Madarghat, Panchayat Mohni, 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	Bail Petition filed on behalf of the petitioners, namely, 1. Rakhal Mandal and 2. Shambhu Kumar, who are in judicial custody since 11.5.2026 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 Prince Pankaj, 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, petitioner No.1 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, petitioner woke-up and caught him and raised hullah. On hullah, his son (petitioner No.2) 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	

Contd. 16.6.2026	his injuries. Doctor of GMCH, Purnea of unknown person conducted post-mortem of the dead body. Informant detained these petitioners within the premises of Police Station. On being asked, they disclosed that co-accused persons, namely, 1. Doman Mandal 2. Hardeo Mandal 3. Madan Mandal, 4. Ashok Mandal, 5. Raj Kumar Mandal including them 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 petitioner No.1 is senior citizen and petitioner No.2 is son of petitioner No.1. Petitioner No.1 is suffering from so many chronic diseases. He also submitted that petitioners have falsely been implicated in this case due to bad village politics. Deceased died due to illness and these petitioners never assaulted the deceased. There is no specific overt-act against the petitioners. 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. Petitioners are in judicial custody since 11.5.2026. 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, Petitioner No.2 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	
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Contd. 16.6.2026	male of unknown male,aged about 35 years but there is no specific overt-act against the petitioner that they were involved in assaulting the deceased due to which deceased died. 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. Petitioner No.1 is senior citizen and petitioner No.2 is son of petitioner No.1. Petitioners are men of clean antecedent and they are in judicial custody since 11.5.2026. 7. Considering the fact and circumstances discussed above, there is no specific overt-act against the petitioners regarding assault the deceased, petitioner No.1 is senior citizen and petitioner No.2 is son of petitioner No.1 and petitioners are in judicial custody since 11.5.2026, the prayer of bail of the petitioners is allowed. Petitioners,namely,1.Rakhal Mandal and 2.Shambhu Kumar are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of the learned court below. (Dictated & corrected by me) Sd/- Sessions Judge,Purnea. <table><tr><td>Date of Order</td><td>16.06.2026</td></tr><tr><td>Date of Reserving Judgment/ order</td><td>16.06.2026</td></tr><tr><td>Uploading Date</td><td>17.6.2026</td></tr><tr><td>Uploaded by</td><td>Kumar Sanjay,Steno</td></tr></table>	Date of Order	16.06.2026	Date of Reserving Judgment/ order	16.06.2026	Uploading Date	17.6.2026	Uploaded by	Kumar Sanjay,Steno	
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