

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA
Dated, Saharsa, the 21st July, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa
A.B.P. No. 771/2026 (Arising out of Bihra P.S. Case No. 85/2026)

Rajesh Kumar Mandal

... Petitioner Vs State of Bihar

In the matter of :-

Rajesh Kumar Mandal S/o Lilo Mandal

Resident of Village Bela Bangrauli, P.S. Bihra, District Saharsa.

....Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Sri Ram Shankar Jha, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Sl. No.	Date of proceeding	Order with the signature of the court	Office action taken with date
	21.07.2026	This anticipatory bail petition has been filed on behalf of the petitioner namely Rajesh Kumar Mandal S/o Lilo Mandal who is apprehending his arrest in connection with Bihra P.S. Case No. 85/2026 registered under Sections 103(1), 61(2), 238, 3(5) of BNS, 2023. 2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioner that petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner bears no criminal antecedent. It is further submitted that the alleged sections are not applicable against the petitioner and he has no manner of concern with the alleged incident. It is further submitted that the petitioner is living separately from Rahul Mandal and he never tortured the wife of Rahul Mandal. It is further submitted that petitioner is a man of means and he is ready furnish sound sureties to the full satisfaction of the learned court. Upon these grounds, the learned counsel prays to grant anticipatory bail to the petitioner. 4. On the other hand, the learned P.P. has vehemently opposed the prayer of anticipatory bail. 5. Rival submissions considered, Record perused. 6. The prosecution case as narrated in typed report of informant Arjun Kumar Mahto is that the marriage of her daughter was solemnized with Rahul Mandal on	

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<u>Cont/2</u> <u>21.07.2026</u>	24.02.2018 as per Hindu Rites and Rituals. For about 3-4 years ago his son-in-law Rahul Mandal was having an illicit relationship with Pinki Devi wife of Mukesh Mandal. When her daughter Preeti Kumari came to know about the same, she protested the said illicit relationship. About two years ago a panchayati was also held at the house of his son-in-law and he promised not to repeat such a mistake and also gave a written assurance to public representatives. Despite this Rahul Kumar Mandal continued his illicit relationship with Pinki Devi. His daughter Preeti Kumari informed her father-in-law Lalit Mandal, mother-in-law Dular Devi, brother-in-law Rajesh Kumar Mandal and cousin of Rajesh wife (name not known) who all pressured them to hush up the matter. When her daughter protested then they conspired and brutally murdered his daughter on 06.03.2026 A.M. by strangulation. Rahul Mandal and Rameshwar Mandal alongwith their families dumped the dead body on the south bank of the Tunyahi Canal covering it with garbage. He learnt about the said incident from the villagers of Bela Bagrauli thereafter the matter was reported to Bihra P.S. and taking immediate action the dead body was recovered with paddy straw (Pual). 7. The petitioner is named in FIR as one of the accused. The deceased was found hanging by using her saree as ligature material at her matrimonial home. The cause of death is due to asphyxia as a result of manual strangulation (throttling). 8. As per the statement of Kajal Kumari, the deceased was hanging by using her saree as ligature material. Upon raising hulla the nearby ladies came there and the deceased was took down by the petitioner he allegedly took the deceased to the Hospital as the deceased was not dead at the time. It has come in para 31 and 32 of the case diary that the petitioner thrown the deceased in the canal after hearing the news that police has come in the village and had fled away from the village. 9. The above facts and circumstances, indicates that the petitioner is involved in the incident.	
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Cont/3
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10. The Hon'ble Supreme Court in the case **Srikant Upadhyay Vs the State of Bihar 2024 SCC OnLine SC 282** has observed that *"We have already held that the power to grant anticipatory bail is an extraordinary power. Though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule."*

11. The Hon'ble Supreme Court in the case of **Najiya Praveen Vs the State of Bihar and Another and etc (in Criminal Appeal No. 1279-1284/2026 decided on 11.03.2026)** in para No. 21 has observed that *".....furthermore, in a case involving allegations of murder and conspiracy, the arrest and custodial interrogation of the accused/suspect would be absolutely essential as it could lead to the discovery of further offence fortifying the prosecution case."*

To unearth the truth the custodial interrogation of the petitioner is required.

12. To unearth the truth the custodial interrogation of the petitioner is required.

13. Considering the facts and circumstances, no case is made out to grant anticipatory bail to the petitioner. Resultantly the instant anticipatory bail application the petitioner namely Rajesh Kumar Manal is hereby **rejected**.

(Dictated)

Sd/-

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

21.07.2026

Date of Judgement/Order	21.07.2026
Date of Reserving Judgement/Order	20.07.2026
Uploading Date	27.07.2026
Uploaded by	Sachin Kumar