

In the Court of Dushyant Kumar
District & Additional Sessions Judge-I
Rosera , District-Samastipur
A.B.P. No. 584-C of 2025
(Arising out of Shivajinagar P.S. Case No. 17 of 2025)
Date : 23.04.2025

Chandan Kumar alias Chandan Mandal

.....**Accused/petitioner**

Versus

State of Bihar.

.....**O.P**

ORDER

1. The present petition has been filed by the accused petitioner, namely Chandan Kumar @ Chandan Mandal seeking his anticipatory bail in connection with Shivajinagar P.S. Case No. 17 of 2025 registered under Sections 191(2), 191(3), 190, 115(2), 117(2), 109, 74, 303(2), 352, 351 (2) of B.N.S. and Sec. 9 of Bihar Control of the use and play of Loudspeakers Act. 1955.
2. Heard Sri Naveen Kumar Singh, Ld. Counsel for the accused petitioner and Sri Shiv Shankar Yadav, Ld. Addl. P.P. for the State.
3. Ld. counsel for the accused petitioner has submitted that petitioner is innocent and has committed no offence but he has falsely been implicated in this case. It is further been submitted that there is no criminal antecedent of this petitioner and entire allegations against the petitioner is false baseless and concocted and the allegations sought by the informant are totally false, fabricated. It has further been submitted that the date of occurrence the festival of Holi and no one any petitioners are going for trolley. It has further been submitted that the informant side the people were drinking wine and who were dancing on music and in the meantime due to competition between during each and others and the present occurrence was taken place self. It has further been submitted that no case U/s-109, 74, 303(2) of B.N.S. and 9 of Bihar Control of the use and play of loudspeakers Act 1955 is made out against the petitioner and due to dirty village politics the accused petitioner has been implicated in this false case. So, he prayed that the accused petitioner may kindly be enlarged on anticipatory bail.
4. On the other-hand Ld. Addl.P.P. has opposed the prayer for bail. However, he conceded that the case has been compromised.
5. Perused the case record. Instant case has been lodged under Sections 191(2), 191(3), 190,115 (2),117(2), 109, 74, 303(2), 352, 351 (2) of B.N.S. and Sec. 9 of Bihar Control of the use and play of loudspeakers Act 1955 against the accused, namely, Kundan Mandal, Chandan Mandal, Govinda Mandal, Nand Kishor Mandal, Satyendra Mandal, Aman Mandal, Vikash Mandal, Chandan Kumar and Dilkhush Mandal and 10 unknown persons upon the application of the informant, Chhedi Bhandari, alleging that on 14.03.2020, the aforesaid accused persons came to his house with a tractor fitted with DJ system and were in a drunken condition. They forcibly tried to apply colour on the informant and female members

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of his family. On protest, Kundan Mandal assaulted the informant with a brick, causing grievous head injury. When his son Dinesh Kumar came to intervene, Chandan Mandal assaulted him with an iron rod, causing serious injury. During the occurrence, villagers Ram Nandan Pandit and Chhote Lal Pandit were also assaulted by Vikas Mandal and others, causing injuries including fracture. It is further alleged that Kundan Mandal snatched a gold chain worth about ₹25,000/- from the informant, and a gold chain worth about ₹20,000/- was snatched from Dinesh Kumar. Further, Govinda Mandal, Satendra Mandal, Nand Kishore Mandal, and Dilkhush Mandal looted articles and cash of about ₹5,000/- from the grocery shop of the informant. The accused persons also threatened to kill the informant and others and continued the assault and vandalism for about two hours. Thereafter, the injured were taken to PHC Shivajinagar and later referred to Sadar Hospital, Samastipur. Thus, it is alleged that, all the accused persons, in furtherance of their common intention, committed the offences.

6. Upon perusal of the records including case diary, it appears that it is case of assault by the accused on the informant and his family members and villagers. Present petitioner is alleged to have assaulted the son of the informant, Dinesh Kumar. Injury of the said injured has opined as simple. The investigation of the case thus does not appear to require custodial interrogation of the petitioner, and there is no reasonable apprehension that the petitioner will abscond or tamper with the evidence if granted the privilege of anticipatory bail.
7. Considering the nature of accusations, the nature of injuries, the background of the dispute, and the overall facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.
8. Accordingly, the petitioners, namely, Chandan Kumar @ Chandan Mandal is directed to be released on bail in the event of his arrest or surrender within six weeks on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court of the Ld. Magistrate concerned in connection with Shivaji Nagar 17 of 2025 subject to furnishing of the undertaking regarding compliance of the conditions mentioned in Section 482(2) of BNSS.
9. Let a copy of this order along with the LCR be sent to the Court of the Ld. Magistrate concerned.

Dictated
District & Additional Sessions Judge -1
Rosera, Samastipur