

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21835 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -SABOUR District- BHAGALPUR

1. Jamun Mandal
2. Jaikant Mandal
Both sons of late Parmeshwar Mandal resident of Vill- Masaru, P.S Sabour,
District -Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 08-07-2015 Heard the Counsel for the petitioner and the APP for the
State.

The application as prayed by the petitioner is dismissed as
withdrawn in so far as petitioner no. 1 is concerned.

Petitioner no. 2 is said to have assaulted the informant with
lathi on his head causing injury. He is, therefore, facing
prosecution punishable under Sections 307 IPC and other allied
sections of Penal Code.

It has been submitted that the father of the informant and
co-accused Jamun Mandal are full brothers. Owing to land
dispute, it is alleged that the occurrence is said to have been
committed. In fact, the prosecution party was aggressor. Referring
to the injury report sustained by the informant, it has been

submitted that the same has been found simple in nature. Co-accused Ashok Mandal who is similarly alleged to have assaulted the injured has since been released on anticipatory bail vide order dated 22.4.2015 passed in Cr. Misc. No. 9638 of 2015. The petitioner undertakes not to indulge in such activity if granted privilege of anticipatory bail.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner no. 2 abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in Sabour P.S. Case No. 13 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in

accordance with law.

Pankaj/-

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(Kishore Kumar Mandal, J)

