

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35995 of 2015

Arising Out of PS.Case No. -196 Year- 2014 Thana -PIPRA District- SUPAUL

- =====
1. Birendra Mandal Son of Laxmi Mandal
 2. Krishna Deo Mandal Son of Nanadan Mandal
- Both are residents of village - Basaha, P.S. Pipra, District - Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Manish Kumar 2(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 07-09-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 323, 341, 324, 307, 379, 504 and 506 of the Indian Penal Code.

It is alleged that for making protest for ploughing the land of the informant side the father of the informant was assaulted with Dabiya by co-accused Sachin @ Nehru when cousin brothers of the informant Manoj Kumar Mandal, Shivnandan Mandal, Shailendra Mandal and Raghu Mandal came to rescue then petitioner no. 1 Birendra Mandal



assaulted with Farsa to Manoj Mandal on his hand whereas petitioner no. 2 Krishan Deo Mandal assaulted with iron rod to Shivnandan Mandal. It is alleged that co-accused Kari Mandal assaulted with lathi to Shailendra Mandal on his head and Sharvan Mandal assaulted with iron rod to Raghu Mandal and the accused persons snatched gold chain from the neck of Manoj Mandal. The injury of Manoj Mandal has been found to be grievous whereas the injury of Shivnandan Mandal has been found to be simple in nature.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled when there is a counter version of the occurrence and a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that petitioner no. 1 Birendra Mandal has caused grievous injury, let the learned court below consider the prayer for regular bail of petitioner no. 1, if he surrenders before the learned court below within a period of six weeks from today. Accordingly, the application on behalf of petitioner no. 1 is disposed of.

So far petitioner no. 2 Krishan Deo Mandal is concerned, since he has caused superficial injury, let the above

named petitioner no. 2 be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Supaul in connection with Pipra P.S. Case No. 196 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--