

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12602 of 2016

Arising Out of PS.Case No. -237 Year- 2015 Thana -BAHERI District- DARBHANGA

=====

Babu Sahab Mandal, son of Jagdish Mandal, resident of Village- Dhanauli,
P.S.- Baheri, District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhubneshwar Prasad

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 17-03-2016

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 447,
341, 323, 504, 506, 354 and 307/34 of the Indian Penal Code.

The prosecution case is that when the
informant's wife, Renu Devi, was in garden co-accused Ram
Chandra Mandal came and started misbehaving with her and on
protest being made, he abused and assaulted the informant's wife,
tore her clothes and when the informant came to rescue then this
petitioner abused him and on protest being made on the order of

co-accused Ram Chandra Mandal this petitioner assaulted the informant with Farsa causing injury on his head. It is further alleged that co-accused Ram Chandra Mandal started pressing the neck of the informant and this petitioner and co-accused Ram Chandra Mandal assaulted the informant his wife with fists and slaps and when the father of informant, Rajendra Mandal came to rescue he was also brutally assaulted by the accused persons.

It is submitted by learned counsel for the petitioner that the injuries of the informant, his wife and father have been found to be simple in nature and there is counter version of the occurrence wherein three persons of petitioner's side have also received injuries. It is further submitted that in the background of land dispute the accusation has been levelled and Title Suit No. 125 of 1992 is pending between them from before.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of 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 Additional Chief Judicial Magistrate, Darbhanga in connection with Baheri P.S. Case No. 237 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

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