

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45639 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -DHAMDAHA District- PURNIA

- =====
1. Ajay Mandal Son of Narayan Mandal
 2. Narayan Mandal Son of Late Baijnath Mandal

Both are resident of Village Nirpur Baran, Police Station Dhamdaha,
District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 10-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner apprehends his arrest in connection with
Dhamdaha P.S. Case No.68 of 2016 registered for the offences
punishable under Sections 323/341/504/379/307/34 of the Indian
Penal Code.

Allegedly, due to land dispute, the petitioner no.1, Ajay
Mandal assaulted the informant on his head with spade causing
serious injury and the informant fell down and became
unconscious. In the meantime, the petitioners along with F.I.R.
named accused persons and three unknown started assaulting the
informant and his family members with lathi, danda, khanti and



iron rod and further, Ajay Mandal snatched ear-ring from the wife of the informant and Sanjay Mandal took away mobile of the informant.

Submission is of false implication and that this case is counter blast case of Dhamdaha P.S. Case No.67 of 2016 filed by petitioner no.2 against informant and others. Both sides have received injuries. The injury found on the person of the informant is simple caused by hard and blunt substance. Both parties are relatives and as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the mother of the informant has received grievous injury.

In the facts and circumstances stated above, considering the case and counter-case and further that both sides have received injuries and the informant has received simple injury caused by hard and blunt substance, the petitioners named above, in case of their arrest or surrender within four weeks from the date of receipt of production of copy of this order, shall be released on bail on execution of bail bond of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of Shri L.B.Paswan, learned Judicial Magistrate 1st Class, Purnea in



connection with Dhamdaha P.S. Case No.68 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Jitendra Mohan Sharma, J)

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