

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53134 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -HAYAGHAT District- DARBHANGA

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1. Ganga Mandal @ Ganga Prasad Mandar @ Ganga Prasad Mandal, Son of Late Ram Bahadur Mandal

2. Anil Kumar, Son of Sri Ganga Prasad Mandal, Residents of Village-Khangraitha, P.S. Hayaghat, District- Darbhanga Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mr. Ramashankar Singh, Adv.

For the State : Mr. Binod Kumar 3, APP 89

For the informant : Mr. Yogesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

5 09-02-2017 Heard the learned counsel for the petitioners, the informant and the State.

This is a petition for grant of anticipatory bail for offence under Sections 147, 148, 149, 447, 448, 341, 323, 324, 307, 380 and 504 of the Indian Penal Code.

Allegation against the petitioners is that they caused injury at the head of Dunni Lal Mandal. The doctor has found two lacerated wounds on the scalp of Dunni Lal Mandal though simple in nature and caused by hard and blunt substance.

Submission of the petitioners is that petitioner no. 1, Ganga Mandal, is a retired Headmaster.

The learned counsel for the informant opposed the prayer for bail.

Considering the fact that petitioner no. 1, Ganga Mandal, is an old person, let he, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Hayaghat P.S. Case No. 2 of**



2016 to the satisfaction of the **Additional Chief Judicial Magistrate, Darbhanga**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

I am not inclined to grant anticipatory bail to petitioner no. 2, Anil Kumar, for the reason that he had knowledge that his act might cause death.

The prayer for anticipatory bail of petitioner no. 2, Anil Kumar, is **rejected**.

(Birendra Kumar, J)

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