

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68197 of 2018

Arising Out of PS. Case No.-89 Year-2018 Thana- ANDHRAMATH District- Madhubani

Chandradev Mandal @ Chandradeo Mandal S/o Hari Narayan Mandal,
Resident of Village- Dakahi, P.S.- Andhramath, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jitendra Kumar Bharti and Mr. Manish Kumar
No 13, Advocates.
For the Opposite Party : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 147, 148, 149, 341, 323,
324, 307, 354(A), 337, 379, 427 and 504 of the IPC.

The prosecution story, in brief, is that on 29.06.2018
about about 9.00 A.M. the informant was repairing his house. In
the meantime, petitioner and others armed with *Lathi* and
Garasa came there and co-accused Shailendra Mandal gave
order to kill him. Upon which, this petitioner assaulted with
Garasa causing head injury. Co-accused Bindeshwar Mandal
also assaulted the informant with *Lathi*. He became unconscious
and fell down on the earth. Other accused persons also assaulted



him with fists and slaps. When his wife Sushila Devi and uncle Mahavir Mandal came to rescue him then co-accused Puhuplal Mandal and Ramchandra Mandal came and caught hair of his wife and started dragging her as a result of which, she became naked. Co-accused Ramnath Mandal used abusive language and co-accused Anand Mandal and others assaulted with fists and slaps. Co-accused Ram Chandra Mandal snatched wrist watch of his uncle worth Rs. 2200/-. On hulla, villagers came and saved them. When his wife and uncle entered into his house to save themselves, the accused persons pelted stones and damaged his house. Thereafter, the informant was admitted in the Hospital.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is case and counter case between the parties. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let



the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Jhanjharpur (Madhubani), in connection with Andharamath P.S. Case No. 89/2018, corresponding to G.R. No. 899 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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