

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39544 of 2018

Arising Out of PS.Case No. -34 Year- 2018 Thana -KURSELA District- KATIHAR

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1. Shambhu Mandal son of Nagendra Mandal resident of village -
Tinghariya, P.S. Kursela, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 10-07-2018 Heard both sides.

The petitioner apprehends his arrest in Kursela P.S.
Case No.34 of 2018 registered under Sections 341, 342, 323, 307,
354(B), 379/34 of the Indian Penal Code.

The informant alleged that the petitioner, Shambhu Mandal finding her all alone entered into her house with bad intention and caught her. The petitioner torn her under garments and when the informant objected, the petitioner assaulted her with lathi. The blow was guarded by left hand. The informant got fracture injury on left hand. She further alleged that Anil Mandal also came there with his licensee gun and assaulted the informant and when her son and daughters came to save, the accused persons also assaulted them.



The learned counsel for the petitioner submits that there is a counter version being Kursela P.S. Case No.35 of 2018. The informant and other accused persons are alleged to have assaulted the family members of the petitioner but it appears from perusal of the F.I.R. that there is specific allegation against the petitioner that petitioner firstly assaulted the informant with lathi causing fracture injury on left hand when the informant objected the petitioner for touching her body. The doctor found one fracture injury on left hand of the informant.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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