

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69864 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- ISMAILPUR District- Bhagalpur

Balmukund Mandal @ Bal Kishore Kumar, S/O Girdhari Mandal, R/V-
Chhoti Parbatta, P.S. Ismailpur, District-Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sunil Kumar Singh, Advocate.
For the Opposite Party : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-12-2018 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,
504, 506, 307 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 11.08.2018
at about 10 hours, the informant was installing hut on the land
of his brother Maheshwar Mandal. In the meantime, petitioner
and other co-accused persons came there and started using
abusive languages and obstructed to install the hut and in that
course co-accused Subodh Mandal fired from his three nut upon
his back and another firing crossed by the side of *Kanpatti* and
he fell down on the ground. Co-accused Sukhi Mandal and
Girdhari Mandal fired indiscriminately upon him and fled away



from there. Other accused also assaulted his family by *Lathi* and *bricks*. They also told him to face dire consequences if the case is lodged against them. After this occurrence, his family members brought him to *Mayaganj Hospital* for his treatment.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The main allegation is against co-accused Subodh Mandal who is alleged to have fired upon the informant causing grievous injury. No specific overt act is alleged against the petitioner nor any specific injury has been caused by him. Altogether eight persons have been made accused in the present case.

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 S.D.J.M.



Navgachia, Bhagalpur, in connection with Ismailpur P.S. Case
No. 35 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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