

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14955 of 2019

Arising Out of PS. Case No.-448 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

Amodi Mandal @Amod Kumar, Son of Pradeep Mandal Resident of Village -
Ganaura, P.S.- Goradih, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-03-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 325, 307, 379 and 504 of the IPC.

The prosecution case, as per the written report of Sumit Kumar Mandal, dated 23.09.2018 submitted to the Station House Officer, Jagdishpur (Goradih) Police Station, is to the effect that 23.09.2018 at about 8 A.M., the informant went to watch his agricultural field and found that crops were being grazed by buffalo then the informant asked the accused persons to get the buffalo out from his agricultural field whereupon, all the 5 F.I.R. named accused persons including the petitioner started abusing the informant and on protest being made, co-accused Pradeep Mandal assaulted the informant with spade



causing cut injury on his head whereas co-accused Shrawan Mandal assaulted the informant causing fracture injury on his leg and when the cousin brother of the informant, Babloo Mandal came to rescue him, then he was assaulted by the petitioner. It is also alleged against that he took away a mobile phone of the cousin brother of the informant.

It is submitted by learned counsel for the petitioner that accusation against the petitioner is omnibus and general and the injury caused by the petitioner to the cousin brother of the informant has been found simple. It is further submitted that there is counter version of the occurrence also, being Goradih P.S. Case No. 449 of 2018, lodged by the petitioner's side against the informant side. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the fact that there is no accusation of repeating blow against the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender



before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur (Goradih) P.S. Case No. 448 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

