

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18780 of 2019

Arising Out of PS. Case No.-605 Year-2018 Thana- NAUTAN District- West Champaran

1. HARI MANDAL Son of Late Khedu Mandal, Resident of Village- Nakti Paterwa, P.S.- Nautan, District- West Champaran.
2. Devki Mandal, Son of Late Khedu Mandal, Resident of Village- Nakti Paterwa, P.S.- Nautan, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-03-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nautan P.S. Case No. 605 of 2018 for the offence under Sections 147, 149, 341, 447, 323, 324, 307 and 354 of the Indian Penal Code.

There is allegation against accused persons of having assaulted the informant with *daab* (a sharp edged weapon) and knife. Petitioner No.1 is said to have assaulted the informant with knife, which injured his right thumb, whereas petitioner No.2 is said to have assaulted with *daab* in his head.

Learned counsel appearing on behalf of the petitioners has submitted that the injury in the head of the informant has been found to have been caused by hard and blunt



substance, which falsifies the allegation of assault made by petitioner No.2. As regards petitioner No.1, it is submitted that no offence under Section 307 of the Indian Penal Code can be said to be made out as against him. It has also been argued that for the same occurrence, a counter case has also been registered.

Considering the facts and circumstances, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran at Bettiah in Nautan P.S. Case No. 605 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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