

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.826 of 2019

Arising Out of PS. Case No.-159 Year-2018 Thana- SANGRAMPUR District- Munger

Bishnudev Mandal Shyam Sundar Mandal Resident of Village-Nonaji, Police
Station-Sangrampur (Tetiabamber), District-Munger

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Sangrampur (Tetia Bamber) P.S. Case
No.159 of 2018, registered for the offence punishable under
Sections 325, 379, 387, 323, 341, 307 and 34 of the Indian
Penal Code.

As per the First Information Report, the allegation
has been made that while on 30.06.2018 at about 7.00 AM in
morning the informant was talking to his agnate Shyam Sunder
Mandal his son Vishnudeo Mandal, Krishnadeo Mandal and his
wife Kaushalya Devi all residents of village Nonajee, police
Station – Tetiabamber District Munger, caught hold the hand of



the son of the informant and assaulted him causing injury on his head and due to cry of his son the informant and his mother rushed there to save him, whereupon the Vishnudeo Mandal and his wife Baby Devi broke the right hand of the informant by hitting from the back side of the spade and the wife of the informant was also hit by Khanti causing injury on her head by Krishan Deo Mandal.

Learned counsel for the petitioner submits that neither any such injury sustained by the son of the informant has been found during course of investigation caused by the petitioner vide para 9 of this petition nor any injury report is lying on the record with respect to the informant's son. Neither the informant nor the witnesses have disclosed the presence of his son at the P.O.

Looking to the entire facts and circumstances of the case, let the petitioner, above-named, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Munger, in connection with Sangrampur (Tetia Bamber) P.S. Case no.159



of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that the concerned Magistrate will examine the case of the petitioner by calling for the case diary and if it is found that the petitioner has not made a wrong statement with respect to injury report and other statement is available in the case diary, **in such circumstances, the bail of the petitioner will be made absolute and otherwise** the benefit extended to the petitioner will be treated to have been withdrawn.

(Shivaji Pandey, J)

Aks/
S. Katyayan

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