

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35064 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- KADWA District- Katihar

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BAMBAM MANDAL Son of Late Suren Mandal Resident of Village-
Dokhra, P.S.-Kadwa, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant anticipatory bail application apprehending his arrest in connection with Kadwa P.S. Case No. 68 of 2019 registered for the offence under Sections 307 and 354 and other sections of the Indian Penal Code.

As per allegation made in the F.I.R., over a dispute with respect to eating the plants of the informant by the goat of the petitioner, it is alleged that the petitioner and his wife abused and assaulted the informant as a result of which she sustained cut injury on her head and fell down.

It is submitted by the learned counsel for the petitioner that the informant happens to be own bhabhi (elder



brother's wife) of the petitioner and there is no explanation in the FIR for the delay of over one month as the occurrence took place on 06.02.2019 whereas the information to the police was given on 08.03.2019.

The learned APP appearing for the State opposes the application for bail.

Having heard the parties and considering the fact that there is unexplained delay of about one month in lodging the FIR, the petitioner, above named, is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Kadwa P.S. Case No. 68 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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