

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40722 of 2019

Arising Out of PS. Case No.-77 Year-2019 Thana- KADWA District- Katihar

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1. Baijnath Mandal, son of Late Khublal Mandal Resident of Village- Kamhari, P.S.- Kadwa, District- Katihar.
 2. Sunil Mandal @ Sunil Kumar, son of Baijnath Mandal Resident of Village- Kamhari, P.S.- Kadwa, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Kadwa P.S. Case No.77 of 2019 for the offence punishable under Sections 341, 323, 307, 354, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners is that the informant is the step mother of petitioner No.1 and due to land dispute the petitioner No.1 along with his family members used to torture the informant. It has further been alleged that on the date of occurrence on 16.03.2019 to 19.03.2019 the accused persons assaulted the informant and pressed her neck with an intention to kill.

Learned counsel for the petitioners submits that petitioners are falsely been implicated due to land dispute and the



informant who is the step mother of the petitioner No.1 has lodged false case based on omnibus and general allegation. Learned counsel for the petitioner further submits that no serious injury has been caused to the informant and the injury is simple in nature.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and upon perusal of materials available on record and taking into consideration the fact that the parties are related to each other having land dispute and the injury as stated by the petitioner is simple in nature, As such I am inclined to grant anticipatory bail to the petitioners.

Accordingly, the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by the petitioners, the petitioners shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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