

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49278 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- CHAUSA District- Madhepura

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Birendra Mandal @ Biro Mandal, Aged about 30 years, Male, Son of Late Rajendra Mandal, Resident of Village Ganeshpur, P.S. Chausa, Fulaut, District Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-08-2019 Heard both sides.

The petitioner apprehends his arrest in Chausa (Fulaut) P.S. Case No.22 of 2019, registered under Sections 341, 323, 354(A), 307, 448, 380, 427, 504, 506 and 34 of the Indian Penal Code.

The informant, Aloula Devi named the petitioner along with four other persons and alleged that the named accused along with five other unknown having armed with different weapons came to her house and began to abuse the informant. On protest, the accused persons put her down on the ground and started assaulting her. When her brother-in-law, Manohar Mandal came to save her, the petitioner, Biro Mandal is alleged to have assaulted Manohar Mandal with iron rod on



his head. When the husband of the informant came to save, the accused persons are also alleged to have assaulted the husband of the informant.

Learned counsel for the petitioner submits that there is a counter version being Chausa (Fulaut) P.S. Case No.21 of 2019 which was registered on the basis of the *fardbeyan* of Ram Bilash Mandal. Shashi Mandal is alleged to have assaulted Chhatis Mandal with iron rod on his head. It is submitted that Chhatis Mandal also got grievous injury on his head but it appears from perusal of the record that it was petitioner who is alleged to have assaulted Manohar Mandal with iron rod on his head and Manohar Mandal got fracture injury on parietal region which is opined to be grievous on account of fracture injury on head.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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