

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58765 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- SHAHKUND District- Bhagalpur

1. Vilas Mandal Son of Late Arjun Mandal
2. Shrikant Mandal @ Shrikant Kumar Son of Bilas Mandal
Both are residents of Village - Gorgama, P.S.- Shahkund, District - Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-09-2019 Heard learned counsel for the petitioners and
learned APP representing the State.

The petitioners apprehend their arrest in connection with Shahkund P.S. Case No. 78 of 2019 (G.R. No. 1257 of 2019), registered under Sections 341, 323, 379, 307, 447, 504, 506 and 34 of the Indian Penal Code.

The allegation against the petitioners is that petitioner no.1 assaulted the informant by means of *Khanti* on his head and petitioner no.2 fired pistol, which did not make any fire.

Learned counsel for the petitioners submits that both the parties are co-villagers and daughter of petitioner no.1



had lodged Shahkund P.S. Case No. 50 of 2019 on 03.03.2018 against the brother of the informant and other family members registered under Section 341, 323, 376, 120(A) and 34 of the Indian Penal Code. He further submits that from perusal of impugned order, it would be evident that injury caused to the informant has been found simple in nature.

After having heard learned counsel for the parties and taking into consideration the fact that both the parties are co-villagers, and a few days before the present FIR was lodged against the petitioner, daughter of petitioner no.1 had lodged FIR against the brother of the informant and injury caused to the informant is simple in nature, I am inclined to grant anticipatory bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Shahkun P.S. Case No. 78 of 2019 (G. R. No. 1257 of 2019); subject to condition



as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Anil Kumar Sinha, J)

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