

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 72904 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- BHARGAMA District- Araria

DEVENDRA MANDAL Son of Late Uttim Lal Mandal Resident of Village -
Khutaha Baijnath, P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 19-12-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner apprehends arrest in connection with Bhargama
Police Station (for brevity, *PS*) Case No 5 of 2019 instituted for
the offence under Section(s) 341, 323, 307, 354, 379, 504,
506/34 of the Indian Penal Code.

It is submitted by the petitioner's counsel that in fact the
informant's side are aggressor in the altercation which has
occurred on account of subsisting property dispute between the
petitioner and the informant's side. The initial version of the
occurrence is to be found in Bhargama PS Case No 4 of 2019
instituted by the petitioner where after the instant case has been
lodged. The allegation of assault by means of iron rod on the



head of Krishnadeo Mandal does not stand corroborated by the injury report which has only found bruise over his frontal head. Petitioner has no criminal antecedent.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in connection with Bhargama PS Case No 5 of 2019 subject to the conditions as laid down under Section 438(2) Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his



bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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