

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65687 of 2018

Arising Out of PS. Case No.-96 Year-2018 Thana- BHARGAMA District- Araria

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1. Dinesh Mandal S/o late Jitu Mandal
 2. Lattar Mandal S/o Badan Mandal Both Residents of Village Dhaneshwari,
Ward No. 8, P.S. Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Smt. Gulnar Begam

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-01-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 427, 307, 354, 504, 506 and 379/34 of the Indian Penal Code.

For land dispute, occurrence of assault allegedly took place wherein co-accused Kapil Mandal and petitioner Dinesh Mandal allegedly caused injury at the head of the informant. The Doctor has found two head injuries caused by hard blunt substance and simple in nature.

Submission is that injuries are not consistent with the prosecution allegation of commission of assault with *Dabiya*



which is a sharp cutting weapon.

Considering the fact that **petitioner no. 1 Dinesh Mandal** had knowledge that this act might cause death, I am not inclined to enlarge him on anticipatory bail. Hence, his prayer for anticipatory bail is refused.

Let **petitioner no. 2 Lattar Mandal**, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Bhargama Police Station Case No. 96 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner no. 2 shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 2.

(Birendra Kumar, J)

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