

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9735 of 2020

Arising Out of PS. Case No.-141 Year-2018 Thana- LODIPUR District- Bhagalpur

1. PUJARI MANDAL @ RAJEEV KUMAR @ RAJIV KUMAR Son of Late Moleshwar Mandal Resident of Village - Lodipur, Police Station - Lodipur, District - Bhagalpur.
2. Pradeep Mandal Son of Late Mahabir Mandal Resident of Village - Lodipur, Police Station - Lodipur, District - Bhagalpur.
3. Prabhash Mandal Son of Late Moleshwar Mandal Resident of Village - Lodipur, Police Station - Lodipur, District - Bhagalpur.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Manoj Kumar

For the Opposite Party/s : Mr. Dilip Kumar No.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-09-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in Lodipur P.S. case No.141 of 2018 registered for the offences punishable under Sections 341, 323, 379, 307, 354 B & 504/34 of the Indian Penal Code pending in the Court of learned Chief Judicial Magistrate, Bhagalpur.

While the informant was at her land and getting the work done by the labourer, all the petitioners along with two



other persons came and surrounded her and started abusing her, her husband, her brother and her Gotni. When the informant told them that it is her land then all the accused persons abused and Ram Ranjan Mandal kept rifle on the temple of her husband. When the informant's brother rushed in his rescue they assaulted her by means of Khanti due to which he received injuries and fell on the ground. Pradeep Mandal assaulted on her head by means of iron rod. Pujari Mandal assaulted her by means of cycle chain due to which she received injuries in finger of left hand. Arun Mandal also tore her blause and snatched golden chain. Her Gotni was also assaulted by Prabhash Mandal, Pujari Mandal and Pradeep Mandal.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties. Both parties have sustained injuries. No independent witnesses have supported the prosecution case.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled



against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for anticipatory bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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