

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69550 of 2019**

Arising Out of PS. Case No.-138 Year-2019 Thana- SABOUR District- Bhagalpur

GULTA MANDAL Son of Ganesh Mandal Resident of Village - Ram Nagar  
Hardaspur Mamlakha, P.S.- Sabour, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                        |
|--------------------------|---|------------------------|
| For the Petitioner/s     | : | Mr.Rajive Ranjan Singh |
| For the informant        | : | Mr. Indeshwari Prasad  |
| For the Opposite Party/s | : | Mr.Navin Kumar Pandey  |

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

3      18-02-2020                      Heard learned counsel for the petitioner and  
learned counsel for the State.

The petitioner seeks bail in connection with Sabour P.S. Case No. 138 of 2019, registered under Sections 341, 323, 427, 307, 302, 504 and 506/34 of Indian Penal Code, pending in the Court of learned Chief Judicial Magistrate, Bhagalpur.

The accusation is that on 05.05.2019, at about 10.00 A.M. in course of construction of ring bridge, the soil was being carried for filling the same, in that course, due to rash and negligent driving of the tractor, the fodder machine and she-buffalo of the informant were dashed then informant asked to Terra Mandal regarding payment of compensation money from the driver of the vehicle then Terra Mandal, Gulta Mandal (petitioner), Nitish Mandal and Bhuto Mandal @



Rajnish started to abuse and cause assault to the informant. When Mahendra Mandal, father of informant, rushed to save the informant then Terra Mandal gave iron rod blow causing blood oozing injury and others also caused injury to his father, while his father was rushed at Mayaganj hospital for treatment, but, later on, he died in course of treatment.

Learned counsel appearing on behalf of the petitioner submits that there is general and omnibus allegation against the petitioner and others to cause injury to the deceased, father of the informant. The petitioner is in custody since 13.05.2019.

On the other hand, learned A.P.P. submits that while petitioner and three others are named in the F.I.R with general allegation of causing assault to the father of the informant, but, in Postmortem report, five injuries were found on the person of father of informant.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer of the petitioner, above named, is rejected.

**(Rajendra Kumar Mishra, J)**

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