

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74312 of 2019

Arising Out of PS. Case No.-156 Year-2019 Thana- KURSAILA District- Katihar

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1. LAXMAN MANDAL Son of Chathu Mandal Resident of Village-Kursela Basti, P.S-Kursela, District-Katihar.
 2. Ram Mandal Son of Chathu Mandal Resident of Village-Kursela Basti, P.S-Kursela, District-Katihar.
 3. Bharat Mandal Son of Chathu Mandal Resident of Village-Kursela Basti, P.S-Kursela, District-Katihar.
 4. Chhatthu Mandal Son of Late Raghu Mandal Resident of Village-Kursela Basti, P.S-Kursela, District-Katihar.
 5. Shanti Devi Wife of Laxman Mandal Resident of Village-Kursela Basti, P.S-Kursela, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Chandra Patel
For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-03-2020 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kursela Police Station Case No. 156 of 2019 disclosing offences under Sections 341/323/307/34 of the Indian Penal code.

The allegation against the petitioners as per First Information Report, is that the petitioners assaulted the



informant by means of axe causing head injury to the informant.

Learned Counsel for the petitioners submits that both the parties are co-villagers and there is land dispute between them. Leaned Counsel further submits that there is a case and counter case inasmuch as Kursela P.S. Case No. 157/2019 has been lodged by petitioner no. 1 against informant and his family members. He, relying on Annexure 3, submits that injury caused to the victim has been found to be simple in nature caused by hard and blunt substance while the allegation of assault in the First Information Report is by means of kulhari (Axe).

Having regard to the submission made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers and injury has been found to be simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar, in connection with Kursela Police Station Case No. 156 of 2019, subject to the



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

(Anil Kumar Sinha, J)

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