

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79960 of 2019

Arising Out of PS. Case No.-444 Year-2019 Thana- FORBESGANJ District- Araria

Shankar Mandal @ Shankar Kumar Mandal Son of Late Sukhan Mandal
Resident of Village- Triskund, Ward No.11, P. S.- Forbesganj, Dist- Araria.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection with
forbesganj P.S. Case No. 444 of 2019 for the offence punishable
under Sections 147, 149, 341, 323, 325, 307 and 379 of the Indian
Penal Code.

The allegation is regarding the accused persons having
assaulted the informant and other injured persons.

The learned counsel for the petitioner has submitted that
the petitioner has been falsely implicated in the present case on
account of village rivalry and as far as the petitioner is concerned, he
is alleged to have hit on the head of the informant, namely, Surendra
Prasad Mandal, causing simple injury, as is apparent from the report
of the doctor dated 24.5.2019, annexed as Annexure-3 to the present
petition. It is submitted that the grievous injury inflicted on the right
arm of the informant is attributable to the co-accused person, namely,



Santosh Das. It is further submitted that the petitioner is an accused in one case filed by the informant's side, but he is on bail in the said case. Lastly, it is submitted that the present case arises out of a case and counter case.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner as also taking into account the fact that no grievous injury, found on the person of the informant, is attributable to the petitioner herein, I deem it fit and proper to direct for release of the petitioner on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named are directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 444 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

