

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.983 of 2020

Arising Out of PS. Case No.-237 Year-2019 Thana- PALASI District- Araria

1. SHANKAR MANDAL Son of Hari Lal Mandal Resident of Village - Dharmganj, P.S.- Palasi, Distt.- Araria.
2. Pankaj Mandal @ Pankaj Kumar Mandal Son of Hari Lal Mandal Resident of Village - Dharmganj, P.S.- Palasi, Distt.- Araria.
3. Hari Lal Mandal Son of Late Dhani Lal Mandal Resident of Village - Dharmganj, P.S.- Palasi, Distt.- Araria.
4. Janehru Mandal @ Jawahar Lal Mandal Son of Late Dhani Lal Mandal Resident of Village - Dharmganj, P.S.- Palasi, Distt.- Araria.
5. Rajendra Mandal Son of Janehru Mandal @ Jawahar Lal Mandal Resident of Village - Dharmganj, P.S.- Palasi, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bidhanesh Misra
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2020 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,379,354B and 504/34 of the IPC.

The prosecution case as per the written report of Shushila Devi submitted to the SHO, Palasi Police Station is to the effect that in the background of an earlier land dispute, all the accused persons including the petitioners were ploughing the agricultural land of the informant and on protest being made, all



the accused persons assaulted with a rod to the husband of the informant and his brother causing injury on the head of informant's husband. It is further alleged that petitioner Harilal Mandal took away a silver chain from the informant and they gave life threatening.

It is submitted by learned counsel for the petitioners that in the background of an earlier land dispute, the accusation has been levelled against the petitioner. The petitioners' side had filed Complaint Case No. 255C of 2019 on 25.1.2019 and for the alleged occurrence, there is a counter case being Palasi P.S. Case No. 238 of 2019 against the informant's side. It is further submitted that the injury has been found superficial simple in nature. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the genesis of the occurrence, being land dispute, there being a counter version of the occurrence, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing



bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Palasi P.S. Case No. 237 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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