

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10808 of 2020

Arising Out of PS. Case No.-614 Year-2019 Thana- NATHNAGAR District- Bhagalpur

1. NANDA MANDAL Son of Late Kameshwar Mandal Resident of Village - Dighi, P.S.- Madhusudanpur, District - Bhagalpur.
2. Rahul Mandal @ Rahul kumar Son of Shankar Mandal Resident of Village - Dighi, P.S.- Madhusudanpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-02-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 307, 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that the accused persons came to the house of the informant and assaulted him due to which he sustained injuries.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. As far as petitioner no. 1 is concerned, he is 76



years' old person. The allegation of firing made by him is denied by petitioner no. 1. So far petitioner no. 2 is concerned, though there is allegation of firing against him but no injury is said to have been caused by him in course of occurrence.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. Specific allegation is against petitioner no. 1 who is alleged to have fired upon the victim which hit on the left leg of the informant.

Considering the same, I am not inclined to grant anticipatory bail to petitioner no. 1. The prayer is rejected. If the petitioner no. 1 surrenders in the Court below, the same shall be considered on its own merit without being prejudiced by this order taking into account that petitioner is 76 years old person.

So far as petitioner no. 2 namely Rahul Mandal @ Rahul Kumar is concerned, in the event of arrest/surrender before the learned court below within a period of six weeks from today, petitioner no. 2 be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bhagalpur in connection with Nath Nagar (Lalmatia) P.S. Case No. 614 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure.

(Sudhir Singh, J)

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