

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9589 of 2020

Arising Out of PS. Case No.-473 Year-2019 Thana- KRITYANAND NAGAR District-
Purnia

=====

DEV LAL MANDAL S/o Kamlu Mandal Resident of Village- Gokulpur, P.S.-
K. Nagar, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Hussain

For the Opposite Party/s : Mr. Mohammed Arif

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 29-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner apprehends his arrest in K. Nagar
P.S. Case No. 473 of 2019 registered for the offences
punishable under Section 341, 323, 307, 379, 504 & 506/34 of
the Indian Penal Code pending in the Court of learned Chief
Judicial Magistrate, Purnea.

While the informant was planting Lahsun in her



field, the petitioner along with other accused person is said to have come there and started abusing the informant. He assaulted the informant with Garasa. Informant sustained head injury. Thereafter, other co-accused also came and started assaulting the informant. When the husband of the informant came in her rescue, he was also assaulted by them.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to land dispute. It is further submitted that both the parties are family members. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that there is specific allegation against this petitioner of assaulting the informant by means of Garasa, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of case and particularly considering the nature of allegation, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the



learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

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

