

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4458 of 2021

Arising Out of PS. Case No.-93 Year-2020 Thana- SHANKARPUR District- Madhepura

BIRENDRA MANDAL SON OF LATE JAIKANT MANDAL Resident of
Village - Rampur Laha, ward No.4, P.S.- Shankarpur, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard the learned counsel for the petitioner
and the learned A.P.P. for the State.

This is an application for grant of anticipatory
bail in connection with Shankarpur P.S. Case No. 93
of 2020 registered for the offence punishable
under Section 341, 323, 308, 379, 354B, 504 and
506/34 of the Indian Penal Code.

The allegation is regarding the accused
persons including the petitioner herein having
assaulted the informant and his daughter-in-law.
The petitioner is stated to have assaulted the
daughter-in-law of the informant.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that admittedly, a land dispute is existing in between the parties and the present case arises out of case and counter case. It is further submitted that the injury, sustained by the daughter-in-law of the informant, is simple in nature and the petitioner has been implicated in the present case only because he is a government employee with a view of settle the civil dispute expeditiously.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the injury in question sustained by the daughter-in-law of the informant is simple in nature and the present case arises out of case and counter case as also there is a land dispute existing since past many years, apart from



the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Madhepura in connection with Shankarpur P.S.Case No. 93 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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