

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9325 of 2021

Arising Out of PS. Case No.-46 Year-2020 Thana- KHIRHAR District- Madhubani

1. KARAN MANDAL SON OF RAMPUNIT MANDAL RESIDENT OF VILLAGE- BALARAHI, P.S.- KHIRHAR, DISTRICT- MADHUBANI
2. DEEPAK MANDAL @ DEEPAK KUMAR SON OF RAM SEWAK MANDAL RESIDENT OF VILLAGE- BALARAHI, P.S.- KHIRHAR, DISTRICT- MADHUBANI
3. LALIT MANDAL @ LALIT KUMAR SON OF KUSHESHWAR MANDAL RESIDENT OF VILLAGE- BALARAHI, P.S.- KHIRHAR, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Namrata Mishra, Adv.
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2021 Heard the learned counsel for the petitioners and

the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Khirhar P.S. Case No. 46/2020 corresponding to G.R. No. 419/2020 instituted for the offence under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

The petitioner nos. 1 and 2 are said to have assaulted the informant and his son respectively. Both of them have received injuries on the vital portion of their



bodies and the opinion with respect to the nature of injuries has been kept reserved subject to further medical investigation.

So far as the petitioner no. 3 is concerned, he is attributed with general act of assault by fists and slaps without any corresponding injury on anyone of the victims.

The learned counsel for the petitioners has submitted that the accusations against them have been overly exaggerated and the injuries do not appear to be life threatening.

Be that as it may, regard being had to the nature of injuries suffered by two victims at the hands of the petitioner nos. 1 and 2, I am not inclined to grant anticipatory bail to them.

The prayer for anticipatory bail of the petitioner nos. 1 and 2 is rejected.

Should they surrender before the court below and seek bail, their application shall be considered on its own merits, without being prejudiced by the fact that the present petition on their behalf has not been entertained.



In view of the general nature of accusation against the petitioner no. 3 without any corresponding injury on anyone of the victims, he is directed to be released on 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -III, Benipatti, Madhubani, in connection with Khirhar P.S. Case No. 46/2020 corresponding to G.R. No. 419/2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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