

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12511 of 2021

Arising Out of PS. Case No.-229 Year-2020 Thana- PANDAUL District- Madhubani

1. VIKRAM @ VIKRAM MANDAL AND ANOTHER Son of Ramu Mandal Resident of Village - Viraul Ward No.13, P.S.- Pandaul, Dist.- Madhubani.
2. Raju Mandal Son of Late Baiju Mandal Resident of Village - Viraul Ward No.13, P.S.- Pandaul, Dist.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 05-04-2022 Heard Mr. Ravi Prakash, learned Advocate for the petitioners and the learned APP.

The petitioners seek bail in anticipation of their arrest in connection with Pandaul P.S. Case No. 229 of 2020 dated 09.09.2020 which was initially instituted for the offences under Sections 147, 148, 149, 307, 504, 506, 379 and 307 of the Indian Penal Code but later with the death of one of the victims Section 302 IPC has been added.

Though the accusation against the petitioners in the FIR is of having assaulted the members of the prosecution party, as a result of which three of the persons received simple injuries but over a period of time, one of the victims died.



Though the two petitioners are not specifically attributed to have caused any fatal injury but the background fact *viz.* that on protest by the informant against their unruly behaviour, they resorted to such act of assault, I am not inclined to grant anticipatory bail to them.

Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioners surrender before the court below and seek bail, their applications shall be considered on their own merits taking into account that there is a counter version of the occurrence also and an order shall be passed without being prejudiced by the fact that the present petition on their behalf has not been entertained.

(Ashutosh Kumar, J)

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