

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13399 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- HATHAURI District- Samastipur

1. KAILASH MANDAL @ KAILASH RAI @ KAILASH KUMAR MANDAL @ KAILASH RAJ SON OF LATE RAMAKANT MANDAL R/o village- Sahru, P.S.- Hathauri, District- Samastipur
2. Ramsushila Devi W/o Late Ramakant Mandal R/o village- Sahru, P.S.- Hathauri, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Adv.
For the Opposite Party/s : Mr.Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2022 Heard learned counsel for the petitioners and learned APP for the State through virtual court proceedings.

Learned counsel for the petitioners undertakes to remove the defects as pointed out by the office, within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, the office will place the matter before the Bench.

Petitioners apprehend their arrest in connection with Hathauri P.S. Case No.110 of 2020, registered for the offence punishable under sections 504, 337, 379, 341, 308, 323/34 of the IPC.

The allegation against the petitioners is that they have



assaulted the informant by means of iron rod and spade and when his nephew wanted to take him to the hospital, the petitioners tried to stop him and in due course assaulted the informant's nephew.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and have not committed any offence. They have been falsely implicated in this case due to an admitted land dispute. There is case and counter-case between the parties and in the said occurrence, both sides have sustained injuries. It has also come in the impugned order, that the occurrence took place due to the prevailing land dispute between the parties. It is further submitted that petitioner has no criminal antecedent, as such, he may be enlarged on anticipatory bail.

Learned APP for the State opposed the prayer for bail.

In the facts and circumstance of the case, the above named petitioners, in the event of their surrender/arrest before the learned Court below within a period of six weeks from today, are directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Rosera, Samastipur, in connection



with Hathauri P.S. Case No.110 of 2020, subject to the condition
as laid down under section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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