

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7066 of 2022

Arising Out of PS. Case No.-142 Year-2021 Thana- PIRPAINTI District- Bhagalpur

1. BASU MANDAL @ VASUDEV MANDAL S/o Sitaram Mandal R/o village- Bhakarpur, P.S.- Pirpainti, District- Bhagalpur
2. Sunil Mandal S/o Sitaram Mandal R/o village- Bhakarpur, P.S.- Pirpainti, District- Bhagalpur
3. Chhotu Kumar @ Chhote Lal Mandal S/o Sitaram Mandal R/o village- Bhakarpur, P.S.- Pirpainti, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 448, 323,
379, 307, 385, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent.

The informant alleges that accused persons including
the petitioners came to the house of the informant and
demanded extortion of Rs.50,000/-. Thereafter, Basu Mandal



assaulted the informant by an iron rod and snatched his silver chain. When the brother of the informant came to rescue him then Sunil Mandal assaulted the brother of the informant and snatched his wrist watch and silver chain and Chhote Lal Mandal assaulted his aunt and snatched her ear rings.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and there is an inordinate delay in instituting the FIR. The date of occurrence is 28.06.2021 and the FIR came to be instituted on 02.07.2021 without any plausible explanation. He further submits that from perusal of the injury report of the informant and his brother, it would manifest that opinion with regard to the injury no. 1 was reserved and with respect to Chintu Gupta his second injury was found simple. Similarly opinion with respect to injury no. 1 and 2 of the informant was kept reserved and the third injury was found simple. He next submits that from perusal of the injury report, it would manifest that the injury is on non-vital part of the body. He also submits that the case has been compromised between the parties.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Pirpainti (Bakharpur) P.S. Case No. 142 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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