

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7031 of 2022

Arising Out of PS. Case No.-180 Year-2018 Thana- SANOKHAR District- Bhagalpur

1. Priyabrat Mandal Son Of Late Dwarika Das Resident Of Village - Ghutiyani, P.S.- Madargunj, Distt.- Bhagalpur.
2. Putul Devi W/O Priyabrat Mandal Resident Of Village - Ghutiyani, P.S.- Madargunj, Distt.- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323 and 308/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and alleges that on 26.12.2018, the petitioners assaulted the informant by khanti causing injury on his head and he became unconscious.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that the informant is own nephew of



petitioner no.1 and on account of partition dispute, the present occurrence took place. It is also submitted that informant has concealed his relationship with the petitioner no.1. Further, no motive for the occurrence has also been alleged in the F.I.R. It is next submitted that the police after investigation, submitted charge-sheet under Sections 341, 323, 504 and 506 of the I.P.C., but the learned Court below differing with the police report took cognizance under Sections 308, 341, 323 and 34 of the I.P.C. The learned counsel thus submits that police during the course of investigation did not find the injury serious and as such, charge-sheet was not submitted under any major sections of the I.P.C.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sanokhar



(Amdanda) P. S. Case No.180 of 2018, subject to the conditions
laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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