

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16676 of 2021**

Arising Out of PS. Case No.-141 Year-2020 Thana- AURAI District- Muzaffarpur

1. Lalu Mandal, aged about 55 years, Male, Son of Late Dhaneshwar Mandal
2. Bholal Mandal, aged about 32 years, Male, Son of Lalu Mandal
3. Sanjiv Mandal, aged about 20 years, Male, Son of Lalu Mandal
4. Gajendra Mandal, aged about 63 years, Male, Son of Late Yadu Nandan Mandal
5. Subadhi Devi, aged about 50 years, Female, W/O Raghubir Mandal
6. Gayatri Devi, aged about 52 years, Female, W/O Lalu Mandal
7. Indu Devi, aged about 62 years, Female, W/O Rajendra Mandal
8. Anju Devi, aged about 35 years, Female, W/O Dilip Mandal

All above are resident of Village - Ram Khetari, P.S.- Aurai, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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|----------------------|---|-----------------------|
| For the Petitioner/s | : | Ms. Bela Singh, Adv.  |
| For the State        | : | Mr. APP               |
| For the Informant    | : | Mr. Radhe Shyam, Adv. |

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

3      04-04-2022                      Heard Ms. Bela Singh, learned advocate for the petitioners and Mr. Radhe Shyam, for the Informant. State is represented by learned Additional Public Prosecutor.

The petitioners seek bail in anticipation of their arrest in connection with Aurai P.S. Case No. 141 of 2020 dated 03.07.2020 instituted for the offences under Sections 147, 149, 341, 323, 504, 379, 354 (A), 354(B), 325 and 307 of the Indian Penal Code.

The petitioners are alleged to have assaulted the



members of the prosecution party but the accusation is general and omnibus so far as they are concerned. However, the injuries suffered by the victims are all reported to be grievous in nature.

Ms. Bela Singh learned advocate for the petitioners has submitted that there is counter version of the occurrence also which has been lodged by the petitioner no.4 vide Aurai P.S. Case No. 145 of 2020.

In the aforesaid case, the petitioner nos. 1 to 4 also stand injured. Though, the nature of injury suffered by the petitioner nos. 1 to 4 has not specifically been stated but, from the background facts, Ms. Singh argued that there was a clash between the two sides in which persons from both sides have received injuries.

As opposed to the aforesaid contention, Mr. Radhe Shyam, learned advocate for the Informant has submitted that the injuries suffered by the petitioners nos. 1 to 4 are not as grievous as those suffered by the victims of the subject F.I.R. He further submits that one of them has not been able to recover from the injuries inflicted on him.

Be that as it may, considering the aforementioned facts specially that both sides have filed cases against each other and persons from both sides have received injuries, this Court is inclined to grant anticipatory bail to the petitioner nos. 1 to 4 and



confirm the provisional bail of the petitioner nos. 5 to 8, who have been granted provisional bail on account of their gender and omnibus allegation against them.

For the reasons aforesated, the petitioner nos. 1 to 4 are directed to be released on bail, in the event of their 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 their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIII (East), Muzaffarpur in connection with Aurai P.S. CaseNo. 141 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail granted to the petitioner nos. 5 to 8 is also hereby confirmed and they shall remain on the same bail bonds.

The petition stands allowed accordingly.

**(Ashutosh Kumar, J)**

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