

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13582 of 2022

Arising Out of PS. Case No.-186 Year-2021 Thana- BHAWANIPUR District- Purnia

1. Ambika Mandal @ Ambika Prasad Mandal Son Of Rajendra Mandal @ Rajendra Prasad Mandal R/O Village- Khar Katta, P.S.- Bhawanipur (AKBARPUR O.P.), District- Purnea.
2. Bhola Mandal Son Of Rajendra Mandal @ Rajendra Prasad Mandal R/O Village- Khar Katta, P.S.- Bhawanipur (AKBARPUR O.P.), District- Purnea.
3. Raman Kumar Mandal @ Raman Kumar Son Of Bhola Mandal R/O Village- Khar Katta, P.S.- Bhawanipur (AKBARPUR O.P.), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2022 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application in respect of petitioner no.2, Bhola Mandal.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioner no.2, Bhola Mandal is concerned.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Bhawanipur (Akbarpur O.P.) P.S. Case No.186 of 2021,



registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 324, 307, 379, 504, 506 and 447 of the Indian Penal Code.

The petitioners and other co-accused persons are said to have assaulted the informant and his brother on their head by means of *lathi*, *daviya*, rod, *khanti* and *danda*. When the father, mother and wife of the informant came to save them, the accused persons also assaulted them. The accused persons also snatched earring and chain made of gold from possession of the mother and wife of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that there is general and omnibus allegation against the petitioners. It is submitted that there is case and counter case between the parties and both sides are agnates. It is also submitted that there is land dispute between the parties. It is lastly submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts that there is



general and omnibus allegation against the petitioners and both sides are agnates, let petitioners no.1 and 3, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Bhawanipur (Akbarpur O.P.) P.S. Case No.186 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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