

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23924 of 2021**

Arising Out of PS. Case No.-166 Year-2020 Thana- BHAWANIPUR District- Purnia

SUDAM MANDAL @ SUDHANSHU MANDAL Son of Late Sahdeo Mandal @ Satyadeo Mandal Resident of Village - Bhawanipur Gorhiyari Tola, P.S. - Bhawanipur, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. APP

For the O.P. No. 2 : Mr. Md. Fazle Karim, Advocate

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

2 10-05-2022 For the reason of this case not having been taken up even once for a year, a priority hearing has been given in this matter.

Heard Mr. Raj Kumar, learned Advocate for the petitioner and Mr. Md. Fazle Karim for the informant. The State is represented the learned APP.

The petitioner seeks bail in anticipation of his arrest in connection with Bhawanipur P.S. Case No. 166 of 2020 dated 22.08.2020 instituted for the offences under Sections 323, 324, 379, 504, 506 and 34 of the Indian Penal Code.

The petitioner is alleged to have committed act of vandalism and had assaulted the members of the family of the informant when he had demanded Rs. 15000/- which the



petitioner had taken as an LIC agent to be deposited in one of the branches, which he never deposited.

The learned counsel for the petitioner however has submitted that the accusation is absolutely false. In fact, the petitioner had given accommodation loan of Rs. 10,000/- to the informant and when he demanded the same back, this criminal case has been foisted on him.

Thus, there appears to be two conflicting stories regarding the occurrence. The injury received by the victim is but of a very simple dimension and does not appear to be grievous. It is in the nature of a cut injury on the left ear.

The learned counsel for the informant however has submitted that the parallel story woven by the petitioner is absolutely incorrect. The petitioner is in the habit of realizing money from investors and not depositing it in the LIC branch. It has also been submitted that the petitioner, taking advantage of the absence of the informant, entered in his house and misbehaved with his family members.

Be that as it may, considering the nature of accusation and the possibility of false implication as well as the injury having been found to be simple in nature, the petitioner is directed to be released on bail, in the event of his 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 his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Purnea in connection with Bhawanipur P.S. Case No. 166 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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