

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14548 of 2022**

Arising Out of PS. Case No.-93 Year-2021 Thana- PRANPUR District- Katihar

RAM CHANDAR MANDAL @ RAMCHANDRA MANDAL Son of Antalal Mandal @ Antlal Mandal Resident of Village - Ward No.7, Dhanni Tola, (Wrongly stated as Village - Gopalpur in the FIR), P.s.- Amdabad, Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 19-09-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 341, 307, 325, 379, 504, 506 and 34 of the Indian Penal Code.

The informant alleges that on 20.06.2021 a scuffle took place between the informant's husband and co-accused Suresh Mandal with regard to dispute relating to drainage of rainwater when Suresh Mandal started abusing her husband to which her husband, Ramesh and Ranjit opposed, it is next alleged that Suresh Mandal assaulted him with leg and fist, Tapan and Suresh Mandal assaulted Ramesh Mandal and Ranjit Mandal with an iron rod causing injury on their head and



petitioner assaulted her husband with *lathi* causing injury on his head and even fractured his right leg, it is also alleged that Suresh Mandal took out Rs. 35,000/- from the pocket of her husband.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that petitioner is the son-in-law of Suresh Mandal and he had come to his matrimonial home when this occurrence took place and the informant in order to create pressure upon Suresh Mandal falsely implicated his son-in-law. Learned counsel further submits that even presuming what has been alleged is true, without accepting for the purposes of anticipatory bail, then the allegation of assault by the petitioner on the husband of the informant gets belied by the injury report as no injury is found on the head rather the injury report records that the injury found on the head of right fibula is grievous as such it is submitted that injury is not on vital party of the body. It is also submitted that the petitioner came to be implicated by way of afterthought as there is a delay of four days in instituting the F.I.R. as the date of occurrence is 20.06.2021 and the F.I.R. came to be instituted on 24.06.2021, learned counsel submits that it absolutely does



not stand to reason that if injury was grievous then why hospital did not inform the police when it was a criminal case, this also creates doubt with regard to the veracity of allegations as alleged in the F.I.R.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Pranpur P.S. Case No. 93 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

