

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21567 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- JALALGARH District- Purnia

1. MANGAL MAHALDAR Son of Ramu Mahaldar Resident of Village - Pokharia, Ward no.09, P.S.- Jalalgarh, Distt.- Purnea.
2. PRAMOD MAHALDAR Son of Jhari Mahaldar Resident of Village - Pokharia, Ward no.09, P.S.- Jalalgarh, Distt.- Purnea.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.2, submitting that during pendency of this application petitioner no.2 has been apprehended by the police.

Permission is granted.

Accordingly, this application is dismissed as



withdrawn in respect of petitioner no.2 only.

Now, this application survives only for petitioner no.1.

The petitioner apprehends his arrest in Jalalgarh P.S. Case No. 175/2021 registered for the offences punishable under Sections 147, 341, 323, 324, 325, 307, 379, 427, 448 & 504 of the Indian Penal Code.

The allegation against this petitioner is that he assaulted the son of the informant by means of lathi and bamboo stick due to which he sustained grievous injury.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the bail petition submitted that considering the seriousness of the allegation, petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.



However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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