

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30622 of 2022

Arising Out of PS. Case No.-519 Year-2020 Thana- KAHALGAON District- Bhagalpur

1. BIPIN MANDAL @ RAVI KUMAR Son of Sudin Mandal Resident of Village - Rasalpur, P.S.- Rasalpur, District - Bhagalpur.
2. Digambar Mandal Son of Kailash Mandal Resident of Village - Rasalpur, P.S.- Rasalpur, District - Bhagalpur.
3. Ganesh Mandal @ Mangal Mandal Son of Late Sundar Mandal Resident of Village - Rasalpur, P.S.- Rasalpur, District - Bhagalpur.
4. Pappu Mandal @ Gurudeo Kumar Patel Son of Rudal Mandal Resident of Village - Rasalpur, P.S.- Rasalpur, District - Bhagalpur.
5. Pritam Mandal @ Pritam Kumar Son of Devan Mandal Resident of Village - Rasalpur, P.S.- Rasalpur, District - Bhagalpur.
6. Pawan Mandal @ Pawan Kumar Son of Devan Mandal Resident of Village - Rasalpur, P.S.- Rasalpur, District - Bhagalpur.
7. Deepak Mandal @ Deepak Kumar Son of Devan Mandal Resident of Village - Rasalpur, P.S.- Rasalpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 36816 of 2022

Arising Out of PS. Case No.-519 Year-2020 Thana- KAHALGAON District- Bhagalpur

1. PARMOD KUMAR MANDAL @ PARMOD MANDAL S/O MAHENDRA MANDAL Resident of Village- Rasalpur, P.S.- Rasalpur, District- Bhagalpur.
2. BIKRANT MANDAL @ BIKRANT KUMAR S/O RAM BRIKSH MANDAL Resident of Village- Rasalpur, P.S.- Rasalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 30622 of 2022)

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

(In CRIMINAL MISCELLANEOUS No. 36816 of 2022)

For the Petitioner/s : Mr.Hemant Kumar



For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-10-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Kahalgaon (Rasalpur) P.S. Case No.519 of 2020, registered for the offences punishable under Sections 147, 148, 149, 342, 323, 325, 379, 354(B), 308, 504 and 506 of the Indian Penal Code.

The petitioners are said to have assaulted the informant by means of rod, butt of pistol and *danda* causing injuries on both legs. Petitioner, namely, Pappu Mandal snatched Rs.10,000/- from the informant. It is further alleged that petitioners, namely, Pramod Mandal, Bikrant Mandal and co-accused, Shekhar Mandal, Mikwa Mandal and Rahul Mandal throw the mother of the informant on the ground. Petitioner, Pramod Mandal is also said to have torn the blouse of the mother of the informant. Petitioner, Bikrant Mandal is said to have snatched a chain made of gold from the mother of the informant. It is also alleged that all accused persons also assaulted the mother 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 submitted that petitioners no.1, 2 and 3 of Cr. Misc. No.30622 of 2022 have got no criminal antecedent whereas petitioners no.4, 5, 6 and 7 have got one criminal antecedent. It is also submitted that petitioner no.1 of Cr. Misc. No.36816 of 2022 have got two criminal antecedents whereas petitioner no.2 of Cr. Misc. No.36816 of 2022 has got one criminal antecedent as stated in paragraph-3 of both the bail petitions. It is further submitted that there is general and omnibus allegation against all the accused persons including the petitioners. It is submitted that there is nothing on record to show that the petitioners have assaulted the informant or his mother.

Perused the records of the cases including the case diary. The injuries sustained by the informant are simple in nature, but the injuries sustained by the mother of the informant are grievous.

Taking into consideration the facts aforesaid, let petitioners of Cr. Misc. No.30622 of 2022 and petitioner no.1 of Cr. Misc. No.36816 of 2022, 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, Bhagalpur in connection with Kahalgaon (Rasalpur) P.S. Case No.519 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

Since there is specific allegation that petitioner no.2 of Cr. Misc. No.36816 of 2022, namely, Bikrant Mandal @ Bikrant Kumar assaulted the mother of the informant and the injuries are grievous in nature, I am not inclined to enlarge the petitioner no.2 of Cr. Misc. No.36816 of 2022, namely, Bikrant Mandal @ Bikrant Kumar on anticipatory bail.

Accordingly, the prayer for anticipatory bail of petitioner no.2 of Cr. Misc. No.36816 of 2022, namely, Bikrant Mandal @ Bikrant Kumar is rejected.

(Anjani Kumar Sharan, J.)

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