

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40932 of 2021

Arising Out of PS. Case No.-410 Year-2020 Thana- GOGRI District- Khagaria

1. VILASH MANDAL @ BILAS MAHTO Son of Ramdeo Mandal Resident of Village - Kharaita, P.S.- Chautham, District - Khagaria.
2. Sujeet Kumar Son of Ramdeo Mandal Resident of Village - Kharaita, P.S.- Chautham, District - Khagaria.
3. Kumod Kumar @ Yashraj @ Yash Kumar Son of Subodh Mahto Resident of Village - Shivanagar, P.S.- Balia, District - Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.Jagdhar Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 09-02-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State through video conferencing.

The petitioners apprehend their arrest in connection with Gogari P.S. Case No. 410 of 2020, registered for the offences punishable under Sections 448, 341, 323, 324, 504, 506, 354(B), 307, 379/34 of the Indian Penal Code.

As per allegation, the accused persons entered into the house of the informant in drunken condition. They assaulted



husband of the informant namely Ghanshyam Thakur and Rajeev Kumar.

Learned counsel for the petitioner has submitted that there is case and counter case and both the parties have sustained injuries. He has also submitted that there is land dispute between the parties and co-accused Heera Singh has been granted anticipatory bail.

The specific allegation of assault is against petitioner No. 1 that he inflicted *dabiya* blow on the head of Rajeev Kumar due to which he sustained grievous injuries. As such, petitioner No. 1, Vilash Mandal, does not deserve the privilege of anticipatory bail.

Accordingly, the anticipatory bail petition of petitioner No. 1 Vilash Mandal is **rejected**.

So far as petitioner Nos. 2 and 3 are concerned, there is specific allegation of assault to the husband of the informant who sustained simple injuries, let the petitioner Nos. 2 and 3 be released on anticipatory bail in the event of their arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with



Gogri P.S. Case No. 410 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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