

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51362 of 2021

Arising Out of PS. Case No.-8 Year-2021 Thana- TERHAGACHH District- Kishanganj

1. ANIL MANDAL @ ANIL KUMAR MANDAL S/o Santlal Mandal R/o village- Bentbari, P.S.- Tedhagachh, District- Kishanganj
2. Sunil Mandal @ Sunil Kumar Mandal S/o Santlal Mandal R/o village- Bentbari, P.S.- Tedhagachh, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through virtual Court proceedings.

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

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners is that they along



with other accused persons have indiscriminately assaulted the informant's side.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is a land dispute between the parties. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and in the alleged occurrence, both sides have sustained injuries and the injury on the person of the informant is simple in nature. Petitioner no.2 has no criminal antecedent and petitioner no.1 has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is case and counter case between the parties and both sides have sustained injuries, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each 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
Tedhagachh P.S. Case No.08 of 2021, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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