

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43807 of 2022

Arising Out of PS. Case No.-79 Year-2020 Thana- KHAJAULI District- Madhubani

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Sujeet Mandal, Son of Laxman Mandal Resident of village- Tarapatti, P.S-
Khajauli, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Miss Kusum Rani, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Khajauli P.S. Case No. 79 of 2020 registered
for the alleged offences under Sections 341, 323, 307, 354(B),
379, and 504/34 of the Indian Penal Code.

As per prosecution case, the petitioner used to tease
and use objectionable language against the female family
members of the informant. The younger brother of the informant
forbade him from doing so when he heard such language from
the petitioner and then the petitioner and his family members
came and assaulted the informant and his family members.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is a case and counter case and Khajauli P.S. Case No. 82 of 2020 has been registered by the co-accused Raghubir Mandal against the informant of this case and others. The learned counsel further submits that the petitioner and informant are neighbours and there was free fight between both the sides and the petitioner's side also received injuries and the above noted case was lodged for the said occurrence. The learned counsel further submits that though the allegation against the petitioner is that he gave blow of iron rod, the doctor, while examining the injured, has found only an abrasion on the chin and the offence comes under the purview of Section 323 of the Indian Penal Code against the petitioner. The petitioner is in custody since 04.06.2022 and charge-sheet has been submitted. Other co-accused persons have been granted bail by learned Sessions Court.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the nature of allegation and the corresponding injury received as has been mentioned in the submission of the



petitioner and also considering the period of custody and the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Madhubani in connection with Khajauli P.S. Case No. 79 of 2020, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

Rajnish/-

(Arun Kumar Jha, J)

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