

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48161 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- BENIPATTI District- Madhubani

1. Prateek Mandal @ Pratik Kumar Mandal Son Of Ravindra Mandal Resident Of Village - Pali Goth, P.S.- Benipatti, Distt.- Madhubani.
2. Prashant Kumar Mandal son of Ravindra Mandal Resident of Village - Pali Goth, P.s.- Benipatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioners,
informant and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 324, 307, 354(B), 379/34 of the Indian Penal Code.

The prosecution case as per F.I.R is that all the accused persons including petitioners, variously armed, came to the house of the informant and started abusing. When informant raised protest then they assaulted the informant. When other family members of the informant came to his rescue, they were also assaulted by the accused



persons. It is specifically alleged against the petitioner no. 1 is that he assaulted with dagger on the shoulder of the informant, and petitioner no. 2 assaulted the mother of informant using a Tengari, as a result of which, the informant's mother sustained head injuries.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in the present case. It is also submitted that both parties are close door neighbours and in the background of some land dispute, the present F.I.R has been registered. It is further submitted that injury is simple in nature. There is counter version of the occurrence also and petitioners' side also received injuries. There is no accusation of repeating the blow. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with



two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate, 1st, Benipatti
in connection with Benipatti P.S. Case No. 106 of 2022,
subject to the conditions as laid down under Section 438(2)
of the Cr.P.C.

(Sunil Kumar Panwar, J)

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