

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46056 of 2022

Arising Out of PS. Case No.-398 Year-2020 Thana- JHAJHA District- Jamui

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ASHOK MANDAL S/o Dukhan Mandal Resident of Village- Navakadih,
P.S.- Jhajha, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Prakash

For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-12-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jhajha P.S. Case no. 398 of 2020 instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 325, 307, 504, 506 of the Indian Penal Code.

As per allegation in the FIR, while the family members of informant were harvesting the paddy crops, petitioner and 10-12 unknown persons variously armed with katta, sword, iron rod, lathi and country made pistol suddenly attacked over the members of prosecution party. It is further alleged that co-accused Beni Mandal having sword in his hand, who assaulted to Ghanshyam Mandal (deceased) and Gopal Mandal.

Learned counsel appearing on behalf of the petitioner has



submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner is outsider and he has no concern with the alleged land dispute. Petitioner is simply alleged to be a member of unlawful assembly. There is no specific allegation of assault against him. Similarly situated other three accused persons have already been granted anticipatory bail vide order dated 24.3.2022 passed in Cri. Misc. No. 34852 of 2021.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Jhajha P.S. Case no. 398 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Jamui subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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