

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 47103 of 2022

Arising Out of PS. Case No.-451 Year-2020 Thana- AMARPUR District- Banka

1. Sourabh Mandal @ Sourabh Kumar S/O Bhola Mandal R/O Village- Pawai, P.S.- Amarpur, District- Banka
2. Arti Devi @ Atri Kumari D/O Bhola Mandal R/O Village- Pawai, P.S.- Amarpur, District- Banka
3. Fulmani Devi @ Fulmani Kumari W/O Sourabh Mandal @ Sourabh Kumar R/O Village- Pawai, P.S.- Amarpur, District- Banka
4. Parwati Devi W/O Bhola Mandal R/O Village- Pawai, P.S.- Amarpur, District- Banka

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2022 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 354, 504, 506/34 of the I.P.C.

The informant submitted a written application alleging inter-alia therein that due to altercation between the children the petitioners assaulted the informant Fulo Mandal with Lathi and while the son of the informant intervened in rescue petitioner



no.1 gave iron rod blow on his head causing injury. It is also alleged that when the other family members of the informant came to rescue the informant, they too were assaulted by the petitioners and others.

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. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter-case between the parties. There is an admitted land dispute between the parties. The specific allegation is against the petitioner no.1 Sourabh Mandal to assault by means of iron rod on non-vital part of body. Petitioners have no criminal antecedent.

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

Having regard to the facts and circumstances of the case, as there is a case and counter-case between the parties, let the above named petitioner be released on bail, in the event of her 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 Amarpur P.S. Case No. 451 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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