

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58787 of 2021

Arising Out of PS. Case No.-70 Year-2021 Thana- BAJPATTI District- Sitamarhi

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1. DHANESHWAR MANDAL Son of Satyanarayan Mandal Resident of Village- Rosalpur, P.S.Bajpatti, District- Sitamarhi, Bihar.
 2. SATYANARAYAN MANDAL Son of Late Bithu Mandal Resident of Village- Rosalpur, P.S.Bajpatti, District- Sitamarhi, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners, at the outset,
seeks permission to withdraw the present anticipatory bail
application with regard to petitioner no.1.

Permission is accorded.

The petitioner no.2 apprehends his arrest in a case
registered for the offences punishable under Sections 307, 323,
341, 354, 379 and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that all the accused persons came at her house and



Dhaneshwar Mandal said that he got a land registered in his favour from her father on which the informant said that she also has a share in the land on account of which Dhaneshwar Mandal hit on his head by *dabia* causing injury and when Rambha Devi came to save her then all the accused persons started quarreling and Dhaneshwar Mandal and petitioner no.2 started pulling Rambha Devi on account of which she became semi-naked.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that allegation of assault specifically is against Dhaneshwar Mandal whose anticipatory bail has been withdrawn and as far as petitioner no.2 is concerned, he is alleged to have acted inappropriately with Rambha Devi. Learned counsel further submits that petitioner no.2 has been falsely implicated in the present case when no such occurrence as alleged has taken place.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no.2.

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner no.2 is a person with clean antecedent, the petitioner no.2, in the event of his arrest or surrender before the learned Court below within a



period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) 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 Bajpatti P.S. Case No. 70 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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