

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61845 of 2021**

Arising Out of PS. Case No.-445 Year-2021 Thana- KUDHNI District- Muzaffarpur

MOHAN MANDAL S/o Late Satyanarain Mandal R/o village- Bakarpur,
P.S.- Kurhni (Turki O.P.), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pushpendra Kumar Singh Smt. Divya Bharti
For the Opposite Party/s	:	Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the offences under Sections 147, 342, 323, 307, 379, 354(B), 504 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 23.06.2021, charge-sheet has been submitted and is having one antecedent. It is further submitted that informant alleges that the accused persons including the petitioner came to the house of the informant variously armed and petitioner assaulted the informant by iron rod on head causing injury while Sukhu Mandal stabbed him near his left eye and Suresh assaulted him Dabia on left leg, further his wife and brother was assaulted the accused person by lathi and danda and Dharmendra dashed his wife on ground and toured her cloth



and Rabindra took Rs. 50,000/-. The learned counsel submits that no doubt the occurrence had taken place but the genesis of the occurrence lies in a land dispute for which a partition suit has been filed in the Court of learned Sub Judge I being partition Suit No. 2151 of 2021. The learned counsel submits that despite pendency of the partition suit, the informant and his brother sold certain land which was sub judiced on account of which the present occurrence took place.

The learned A.P.P. vehemently opposes the bail application and submits that as per impugned order, the injury found on the injured is grievous in nature. At this stage, learned counsel for the petitioner seeks permission to withdraw this bail application.

Permission is accorded.

According, this bail application is dismissed as withdrawn with a liberty to the petitioner to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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