

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66983 of 2021

Arising Out of PS. Case No.-539 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. Vijay Mandal, Son Of Dasrath Mandal Resident Of Village - Badi Alalpur Banatra, P.S.- Sahu Parbatta, Distt.- Bhagalpur.
 2. Uday Mandal @ Uday Kumar, Son Of Deep Narayan Mandal Resident Of Village - Mamalkha, P.S.- Sabour, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Sections
341, 323, 379, 307, 504 and 506/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
informant alleges that she had gone to take a cylinder from
Vijay Mandal, who said that he will return the cylinder only
when she first gives her his mobile. It is next alleged that
informant returned the mobile, but the wife of Vijay Mandal
said that the mobile was of Samsung, but you are returning



mobile of Intex Company. Accordingly, a dispute arose and thereafter, the petitioners came to the shop of the informant and assaulted her with iron rod and khanti and even took out Rs.5,000/- from the counter and Mira Devi and Anita Devi snatched silver chain from the neck of the informant.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that there is a case and counter-case, even the side of the petitioners were also injured. It is next submitted that even presuming what is alleged is true without admitting, then the occurrence took place on account of a trivial issue. It is next submitted that no doubt, the allegation is of assault on the vital part of the body, then the blow is not repeated and the injuries are simple.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the



like amount each to the satisfaction of learned Court below
where the case is pending in connection with Kotwali
(Tilkamanjhi) P. S. Case No.539 of 2020, subject to the
conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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