

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16114 of 2023

Arising Out of PS. Case No.-152 Year-2022 Thana- CHHATAPUR District- Supaul

1. LAL BAHADUR MANDAL S/O DASHRAT MANDAL R/v- Shahpur, Ward No. 08, P.S.- Chhatapur, District- Supaul
2. AJAY KUMAR S/O UTTIM LAL MANDAL R/v- Shahpur, Ward No. 08, P.S.- Chhatapur, District- Supaul
3. RAKESH MANDAL @ YUGESHWAR MANDAL S/O LATE GANGA PRASAD MANDAL R/v- Shahpur, Ward No. 08, P.S.- Chhatapur, District- Supaul
4. YOGNARAYAN MANDAL S/O LATE MAHABIR MANDAL R/v- Shahpur, Ward No. 08, P.S.- Chhatapur, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-05-2023 Heard the learned counsel for the
petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chhatapur P.S. Case No. 152 of 2022 registered for the offences punishable under Sections 147, 148, 341, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code.

The case of the prosecution, in brief, is that the accused persons are alleged to have been



engaged in constructing a tin shed on the land of the informant and when the informant had protested, they had assaulted him.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that as far as the petitioners no. 1 to 3 are concerned, a general and omnibus allegation has been levelled and as far as the petitioner no. 4 is concerned, he is alleged to have given a lathi blow on the hand of one Dinesh Kumar, however, his injury report is not on record. It is also submitted that the other co-accused persons are also alleged to have assaulted the members of the prosecution side resulting in them sustaining injuries, however, the same are not attributable to the petitioners herein.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioners no. 1 to 3 and as far as the petitioner no. 4 is concerned, the injury sustained by Dinesh Kumar stated to be attributable to the petitioner no. 4 has not been found to be serious in nature, apart from the fact that the petitioners are having a clean antecedent, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Supaul in connection with Chhatapur



P.S. Case No. 152 of 2022 subject to the conditions
as stipulated under Section 438(2) of the Code of
Criminal Procedure.

(Mohit Kumar Shah, J)

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