

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13015 of 2023

Arising Out of PS. Case No.-166 Year-2022 Thana- BARARI District- Katihar

ANANDI MANDAL, aged about 60 years, male S/o Late Govind Mandal R/o Village- Madhubani, P.S.- Barari (O.P. Semapur), Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State of Bihar.

The petitioner is apprehending his arrest in connection with Barari (Semapur) P.S. Case No. 166 of 2022 under Sections 147, 149, 341, 323, 307, 379 and 504 of Indian Penal Code.

The prosecution alleges that accused persons, including the petitioner, have assaulted informant's nephew. Specific assault by iron rod is attributed to co-accused *Nitish Kumar* and snatching of Rs. 5,000/- (Rupees Five Thousand) is attributed to co-accused *Suman Kumari*.

It is submitted by the learned counsel for the petitioner that even as per FIR, there is no specific assault against the petitioner. It is further submitted that the case is



lodged on extraneous considerations, as is evident from the fact that female members have also been implicated. The altercation has taken place on a trivial dispute at a small function. The petitioner has no antecedents.

Learned APP for the State opposed the prayer for bail.

Considering the clean antecedent, nature of allegations wherein no assault is attributed on the petitioner and the submission of the parties, this Court inclined to allow petitioner's prayer for grant of anticipatory bail.

Petitioner's prayer for anticipatory bail is allowed.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-3rd, Katihar, in connection with Barari (Semapur) P.S. Case No. 166 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is



any change in the address of the petitioners.
(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Shashank/
gaurav.s-

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