

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15818 of 2023**

Arising Out of PS. Case No.-72 Year-2022 Thana- CHAUTHAM District- Khagaria

DHARMENDRA MANDAL SON OF TARNI MANDAL R/O VILL.-
NAGAR TOLI, P.S.- CHAUTHAM, DISTT.- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 24-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Chautham P.S. Case No. 72 of 2022 for the offence registered under sections 147, 149, 323, 324, 307, 504 and 506 of the Indian Penal Code and section 3/4 of the Dian Act lodged on 16.03.2022 by the informant, Santosh Mandal.

The prosecution case, in brief, is that the informant alleged that Mangan Mandal and Mankeshwar Mandal used to abuse and call his mother and wife 'DAYAN'. On 16-03-2022 at about 07.00 A.M. petitioners along with other F.I.R named co-accused persons came and forming an unlawful assembly, Mankeshwar Mandal ordered to kill her. Thereafter, all accused persons assaulted his mother Kavo Devi, wife, Tina Devi and



niece, Mausam Kumari.

The brother of informant namely, Subhash Mandal came to save but accused Shravan Mandal assaulted on the head of his brother with '*spade*' causing head injury. He fell down on the ground. Seeing villagers, accused persons threatened and fled away. His brother was brought to Community Health Centre, Chautham for treatment. Accordingly, the FIR.

Learned counsel for the petitioner submits that main allegation is against Shravan Mandal of assault and his name has only come in the FIR without any role attributed.

The last submission is that without accepting the allegation and/or the outcome of the present petition, the petitioner (s) on its own would like to contribute Rs. 5,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

Considering the aforesaid submissions put forward by the learned Counsel for the petitioner, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs. 5,000/-, as stated above.

Let the petitioner in the event of arrest or surrender



within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Khagaria in connection with Chautham P.S. Case No. 72 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of the bail bonds.

With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

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