

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20873 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- HASANGANJ District- Katihar

1. BHAVESH MANDAL S/O BAIJNATH MANDAL Resident of Village- Kalsar, P.S.- Hasanganj, District- Katihar.
2. FULESHWAR MANDAL S/O BAIJNATH MANDAL Resident of Village- Kalsar, P.S.- Hasanganj, District- Katihar.
3. PRAMILA DEVI W/O BAIJNATH MANDAL Resident of Village- Kalsar, P.S.- Hasanganj, District- Katihar.
4. REKHA DEVI W/O FULESHWAR MANDAL Resident of Village- Kalsar, P.S.- Hasanganj, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Bishwambhar, Advocate
Mr. Sanjeev Kumar Singh, Adv
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-06-2023 Heard Mr. Saurabh Bishwambhar, learned counsel
for the petitioners and Mr. Umeshnand Pandit, learned
Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection
with Hasanganj PS Case No. 02/2023 dated 06.01.2023
registered for the offence punishable under Sections 341, 323,
307, 354, 504, 506/34 of the IPC.

3. As per allegation made in the FIR, the petitioners
assaulted the informant, her husband and father-in-law due to
which they sustained injuries. It has further been alleged that a



day before the date of occurrence the petitioners, allegedly, entered into the house of informant with an intention to outrage the modesty of Kavita Kumari, who is sister-in-law of the informant.

4. Learned counsel for the petitioners submits that the the petitioners have falsely been implicated in this case due to dispute regarding payment of wages to the petitioner no.1 who had worked as carpenter in the house of informant's husband. He further submits that the weapon of assault has not been mentioned in the First Information Report and from perusal of the impugned order, it would be evident that the prosecution did not bring on record the injury report of the victims. It has also been stated that a counter case bearing Hasanganj PS Case No. 03/2003 has also been lodged by the side of the petitioners.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that the injuries caused to the victims have not been brought on record by the prosecution and there is a case and counter case between the parties, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.



10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Hasanganj PS Case No. 02/2023, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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