

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34570 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- CHHATAPUR District- Supaul

1. Vibhor Mandal@ Vibhor Kumar Mandal S/O Late Kaipaldeo Mandal R/O Village- Chunni Ward No. 11, P.S- Chhatapur, Distt.- Supaul.
2. Bimal Mandal S/O Late Tarni Mandal R/O Village- Chunni Ward No. 11, P.S- Chhatapur, Distt.- Supaul.
3. Binod Mandal S/O Late Tarni Mandal R/O Village- Chunni Ward No. 11, P.S- Chhatapur, Distt.- Supaul.
4. Bhushan Mandal S/O Buchan Mandal R/O Village- Chunni Ward No. 11, P.S- Chhatapur, Distt.- Supaul.
5. Dinesh Mandal S/O Late Dhanay Mandal R/O Village- Chunni Ward No. 11, P.S- Chhatapur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Adv.
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 24-07-2023 Heard Mr. Naresh Kumar Mehta, learned counsel

appearing on behalf of the petitioners and learned Additional

Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection
with Chhatarpur P.S. Case No. 32 of 2023, registered for the
offences punishable under Sections 341, 323, 324, 307, 379,
504, 506/34 of the Indian Penal Code.

3. Allegedly, while the informant was engaged in
farming, in the meantime all the FIR named accused persons,



including the petitioners, armed with weapons came there and started assaulting the brother of the informant and when the informant came to his rescue he was also assaulted by petitioner nos. 2 and 3. Further allegation has been made against other co-accused persons, including the petitioners, of assault to others.

4. Learned counsel appearing on behalf of the petitioners submits that both the parties are relatives and on account of admitted land dispute a free-fight has taken place between them. He further submits that the present case is a counter blast to Chhatarpur P.S. Case No. 31 of 2023 instituted by the petitioner no. 1. He has further drawn the attention of the Court to paragraph no. 9 of the petition and with reference thereof, he submits that the injuries sustained to the injured persons are simple in nature caused by hard and blunt substance. He next submitted that the petitioner nos. 1, 2 and 5 are carrying one criminal antecedent, so far as petitioner nos. 3 and 4 are concerned they have absolutely clean antecedent.

5. On the other hand, learned counsel for the State opposed the bail application and submits that in the scuffle, which took place between the parties, several persons have sustained injuries and as such the specific allegation is not required in order to show the complicity of the petitioners.



6. Having considered the submissions made on behalf of the parties and taking note of the land dispute and the case and counter case, coupled with the simple injury, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds 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.-V, Supaul in connection with Chhatarpur P.S. Case No. 32 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C.

(Harish Kumar, J)

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