

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36612 of 2023

Arising Out of PS. Case No.-293 Year-2022 Thana- HARLAKHI District- Madhubani

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MUKESH MANDAL S/O LATE VASANT MANDAL R/O Umagaon, Ward
No. 14, P.S- Harlakhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 21-07-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Harlakhi P.S. Case No. 293 of 2022, for the offences registered under Sections 448, 341, 323, 307, 379, 325, 504 and 506/34 of the Indian Penal Code.
3. The allegation is regarding the accused persons having intercepted the sons of the informant, namely, Sanjay Mandal and Ajay Mandal when they were returning home and had told them to ask their father to partition the land in question otherwise, he would face serious consequences. It is further alleged that the accused persons had



then assaulted the sons of the informant by means of lathi and iron rod and as far as the petitioner is concerned, he is stated to have inflicted iron rod blow on the head of the son of the informant, namely, Ajay Mandal.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that a superficial allegation has been levelled against the accused persons and the injuries sustained by the aforesaid son of the informant, namely, Ajay Mandal has been found to be simple in nature.

5. Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. 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 fact that the petitioner is having a clean antecedent and the



injuries sustained by the son of the informant, attributable to the petitioner herein has been found to be simple in nature, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

7. Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class (Benipatti), Madhubani in connection with Harlakhi P.S. Case No. 293 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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