

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48376 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- HATHAURI District- Samastipur

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DILIP KUMAR MANDAL @ DILIP MANDAL SON OF SRI RAM
KALEVAR MANDAL RESIDENT OF VILLAGE - GANGARAH, P.S. -
HATHAURI, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Hathauri P.S. Case No. 67 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354, 504 and 506 of the Indian Penal Code and later Section 302 of Indian Penal Code has been added.

3. As per prosecution case, petitioner is said to have assaulted informant's sister-in-law (*Sikil Devi*) by means of Farsa upon her head as a result of which she sustained injury.

4. Learned counsel for the petitioner submits that there is case and counter case between both the parties on the same date of occurrence. He further submits that injury report



falsifies the allegation levelled against the petitioner. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation of assault against the petitioner which is supported and corroborated by the injury report.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with injury report as well as material available on record, I am not inclined to grant anticipatory bail to the petitioner. Accordingly the prayer for anticipatory bail of the petitioner is hereby rejected.

(Alok Kumar Pandey, J)

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