

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53505 of 2023

Arising Out of PS. Case No.-129 Year-2022 Thana- SANHAULA District- Bhagalpur

1. Lakhan Mandal S/O Jangal Mandal R/O Village- Disharath, Ps. Sanhaula, Dist. Bhagalpur
2. Murli Mandal S/O Jangal Mandal R/O Village- Disharath, Ps. Sanhaula, Dist. Bhagalpur
3. Ramu Mandal @ Rama Kumar S/O Lakhan Mandal R/O Village- Disharath, Ps. Sanhaula, Dist. Bhagalpur
4. Madan Mandal S/O Manik Chandra Mandal R/O Village- Disharath, Ps. Sanhaula, Dist. Bhagalpur
5. Ravindra Kumar S/O Murli Mandal R/O Village- Disharath, Ps. Sanhaula, Dist. Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Sanhaula P.S. Case No. 129 of 2022, registered on 26.09.2022, for the alleged offence under Sections 147, 149, 341, 323, 354, 504, 506 of the Indian Penal Code.

03. As per prosecution case, the petitioner-Ravindra Kumar had been making a video by mobile phone of the minor informant and when she objected to it, he assaulted her and



tore her clothes. When the father of the informant came there, he was assaulted by the other petitioners, who also assaulted the informant.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners and informant side are agnates and there is land dispute between the parties. Some altercation took place between them and the informant and her father sustained some injuries, which were found to be simple in nature. Moreover, the informant had concealed the fact that informant side is aggressor, as they have assaulted the petitioners, for which, wife of petitioner no.2 has lodged Sanhaua P.S. Case No. 130 of 2022, which has been registered under Sections 341, 323, 354, 504 and 506 of the IPC. There is nothing on record to support the case of the informant under Section 354 of the IPC. The independent witness, during investigation, has stated that there is land dispute between the parties and they entered into scuffle. Learned counsel further submits that the injury report of the informant shows no dimensions of injury, no fracture of bone and no significant abnormality in brain parenchyma.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and



submission made on behalf of the parties and considering the case and counter case between the parties and further considering the non-serious nature of allegation and possibility of false accusation, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI/concerned court, Bhagalpur in connection with Sanhaura P.S. Case No. 129 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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