

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50029 of 2023

Arising Out of PS. Case No.-144 Year-2021 Thana- HABIBPUR District- Bhagalpur

Rahul Kumar @ Rahul Mandal @ Mandal, aged about 23 years, Son of
Dinesh Mandal, Resident of Village- Bhairapur, P.S- Habibpur, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Habibpur P.S. Case No. 144 of 2021 dated 30.08.2021
instituted under Sections 341, 323, 324, 504, 506, 307/34 of the
Indian Penal Code.

3. As per the prosecution case, when the informant
opposed to the proposal of gambling, Mantu Mandal, Nand
Mandal and Dharmendra Kumar inflicted injuries upon him and
also on his brother for which they were referred to Sadar
Hospital, Bhagalpur where treatment was going on.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Section 307 of the Indian Penal Code is not applicable in the case against the petitioner. The specific allegation is against co-accused Mantu Mandal, Nand Mandal and Dharmendra Kumar. Learned counsel for the petitioner submits that similarly situated co-accused person namely Jitednra Mandal @ Jitendra Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 06.01.2023 passed in Cr. Misc. No. 49295 of 2022. Learned counsel for the petitioner further submits that petitioner has one criminal antecedent in which he is on bail.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the above named petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IX, Bhagalpur in connection with Habibpur P.S. Case No. 144 of 2021, subject to the conditions



laid down in Section 438 (2) of the Code of Criminal Procedure,
1973.

(Sunil Dutta Mishra, J)

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