

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51596 of 2022

Arising Out of PS. Case No.-247 Year-2022 Thana- BARHARA KOTHI District- Purnia

MAHESHWAR MANDAL Son of Sri Kamleshwari Mandal Resident of
village - Buti Kumar Basa, P.S.- Barhara, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Adv.

For the Opposite Party/s : Mr.Ram Naresh Ray, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-02-2023 Heard learned counsel for the petitioner and learned A.P.P. for
the State.

Learned counsel for the petitioner undertakes to remove the
defect (s), as pointed out by the office, within a period of four weeks.

The petitioner apprehends his arrest in a case registered for
the offences punishable under Sections 147, 148, 341, 323, 324,
307, 379, 504 and 506 of the Indian Penal Code.

Allegedly, petitioner, along with other accused persons,
assaulted the informant by lathi-danda, bricks and stones. Petitioner
is said to have given an iron rod blow on the head of the informant's
husband.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No such
occurrence as alleged ever took place. He has been falsely
implicated in this case. The informant is the *Bhabhi* of the petitioner.



The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. It is further submitted that there is compromise between the parties. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail by submitting that the injury sustained by the informant's husband is grievous in nature, which is clear from the impugned order itself.

Considering the facts and circumstances of case, as the injury was grievous in nature, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

However, if petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender considering the fact that there is compromise between the parties.

(Anjani Kumar Sharan, J)

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