

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57516 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

MITHUN MANDAL @ GOVIND KUMAR SON OF RAM KUMAR
MANDAL RESIDENT OF VILLAGE- ALLALPATTI, WARD NO. 27,
D.M.C.H. AHILA, PS- LAHERIA SARAI, BENTA OP. DISTT-
DARBHANGA

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kanchan Jha, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Laheriasarai P.S. Case No. 54 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 and 354 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on 07.02.2023 all the accused persons duly armed with deadly weapons started construction over the land of the informant and when the informant protested the same accused Ganga Mandal gave order to kill the informant upon which accused Vickey Mandal @ Saheb gave iron rod blow on his jaw and caused him injury.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that allegations are general, vague and omnibus in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is submitted that the allegation against this petitioner is initially general and omnibus, however, in the later part of the FIR it is alleged that he assaulted by iron rod to Shalin Kumar on his ear causing injury but in the impugned order of the learned Sessions Judge, Darbhanga the injuries found over the other persons have been noticed and no injury has been noticed on Shalin, the petitioner has otherwise no criminal antecedent, there is case and counter case between the parties over land dispute and they are omnibus, in these circumstances, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Laheriasarai P.S. Case No. 54 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga, subject to the conditions as laid down under Section



438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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