

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62002 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- FALKA District- Katihar

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1. Chandan Mandal S/O Late Baso Mandal R/O Village- Morsanda, Ps. Falka, Dist. Katihar
 2. Vikash Kumar S/O Manoj Mandal R/O Village- Chaundi Bandh Tola, Ps. Falka Dist. Katihar
 3. Sintu Mandal @ Sintu Kumar S/O Late Malhoo Mandal @ Late Mallu Mandal R/O Village- Morsanda, Ps. Falka, Dist. Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah @ Baranwal, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 13-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners submits that petitioner no. 2 namely, Vikash Kumar has been arrested during the pendency of this anticipatory bail application.

3. Learned counsel for the petitioners wants to withdraw the anticipatory bail application so far as it relates to petitioner no. 2.

4. Accordingly, the anticipatory bail application with regard to petitioner no. 2 is withdrawn as not pressed.

5. The petitioner nos. 1 and 3 apprehend arrest in



connection with Falka P.S. Case No. 135 of 2023 dated 05.05.2023, instituted for the offence punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

6. The prosecution case, in short, is that on 05.05.2023, the informant namely, Neetu Devi went to the house of one Beero Mandal. In the meantime, Chandan Mandal assaulted her by iron rod, causing head injury. It has been alleged that during the course of occurrence five persons arrived at the place of occurrence by motorcycle and they also assaulted the informant and other persons of her family.

7. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is specific allegation against petitioner no. 1, who is alleged to have assaulted the informant by means of iron rod on her head. It is further stated that as per the injury report, the injury is found to be simple in nature. It is next submitted that there is no specific allegation against petitioner no. 3. Lastly, it has been submitted that the petitioner nos. 1 and 3 have no criminal antecedents.

8. Learned A.P.P. has opposed the prayer for bail of the petitioner.

9. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner nos. 1 and 3 within a period of six weeks from today, in connection with Falka P.S. Case No. 135 of 2023, petitioner no. 1 and 3 shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Katihar, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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