

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61329 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- KHAJAU LI District- Madhubani

1. MANOJ MANDAL Son of Pawan Mandal R/V- Harish Bara, P.S- Khajauli, Dist- Madhubani
2. Santosh Mandal @ Santosh Kumar Son of Shrabhan Mandal R/V- Harish Bara, P.S- Khajauli, Dist- Madhubani
3. Baiju Mandal @ Baiju Kumar Mandal Son of Bidhyanan Mandal R/V- Harish Bara, P.S- Khajauli, Dist- Madhubani
4. Arun Mandal @ Arun Kumar Mandal Son of Fekhan Mandal R/V- Harish Bara, P.S- Khajauli, Dist- Madhubani
5. Anil Mandal Son of Fekhan Mandal R/V- Harish Bara, P.S- Khajauli, Dist- Madhubani
6. Sunil Mandal @ Sunil Son of Fekhan Mandal R/V- Harish Bara, P.S- Khajauli, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 143, 307, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the



parties and both sides have sustained injuries. He further submits that there is admitted land dispute between the parties and title suit is going on between the parties. He submits that there is specific overt act against Sunil Mandal, Arun Mandal, Baiju Mandal and Pawan Mandal who assaulted the with *Farsa* to the son of the informant, namely, Sanjay Kumar Yadav and injuries found upon the victim is grievous in nature. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.6 on bail in connection with Khajauli P.S. Case No.89/2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, So far as, petitioner nos.1, 2, 3, 4 and 5 is concerned, there is case and counter case between the parties, let the above named petitioner nos. 1, 2, 3, 4 and 5 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/successor court in connection with Khajauli P.S. Case
No. 89/2021, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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