

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65499 of 2023

Arising Out of PS. Case No.-522 Year-2022 Thana- BIHPUR District- Bhagalpur

1. Ranjeet Mandal, aged about 42 years (Male),
2. Rajeev Mandal @ Rajeev Kumar @ Rajeev Kumar Mandal, aged about 28 years (Male),
3. Niranjana Mandal @ Niranjana Kumar, aged about 27 years (Male),
4. Mithilesh Mandal @ Mithilesh Kumar, aged about 35 years (Male),
All sons of Manager Mandal,
All resident of Village- Nuruddinpur Dudhela, PS- Bihpur, Dist- Bhagalpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Bihpur PS Case No.522 of 2022 dated 27.09.2022, instituted
under Sections 448, 341, 323, 307, 379, 504, 506/34 of the
Indian Penal Code.

3. The prosecution case, in brief, is that on the alleged
date of occurrence the petitioners jointly assaulted the informant
with the butt of .303 firearm due to which the informant
sustained bleeding injury in the thumb of his left hand.
Thereafter, firing was made due to which son of the informant



got injury in his left hand. Thereafter, miscreants assaulted the another son of the informant with *lathi*, iron rod and *danda*. The occurrence happened due to land dispute.

4. 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 case and counter case between the parties. The petitioner no. 1 has lodged Bihpur PS Case No. 521 of 2022 dated 27.09.2022 under Sections 147, 148, 149, 341, 323, 307, 354 and 504 of the Indian Penal Code against the informant of the present case and his eleven associates. In the said incident, the informant's side has caused grievous injury to Ranjeet Mandal (petitioner no.1) and Manager Sah, father of Ranjeet Mandal. It is further submitted that all the four petitioners are the full brothers and the informant is their close agnates. It is further submitted that no injury report of the informant and others is available as no proper injury report was produced in the Court below which is apparent from the impugned order. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on 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 1st Additional Chief Judicial Magistrate, Naugachia, Bhagalpur, in Bihpur PS Case No.522 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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