

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63900 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- MANIGACHI District- Darbhanga

DEVENDRA MANDAL SON OF LATE BECHAN MANDAL R/O VILL.-
NAJRA MOHAMMADA FAKIRANA TOLA, P.S.- MANIGACHHI,
DISTT.- DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Manigachhi P.S. case no.66 of 2022, registered for the offence punishable under sections 341, 323, 324, 308, 379, 504/34 of the Indian Penal Code.

As per the FIR, the daughter of the petitioner was having love-affairs with the informant and on her invitation he reached her house and found the petitioner and other co-accused persons armed with iron rod and dabiya. It is alleged that the petitioner gave two blows of dabiya to the informant on his head with an intention to kill him. It is further alleged that co-accused Praveen Mandal assaulted the informant with iron rod.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that from the perusal of record it is clear that there is a specific allegation against the petitioner to assault the informant. The doctor has found altogether four injuries on the body of the informant wherein two injuries are reported to be cut injuries caused by sharp cutting weapon and one injury is grievous in nature.

Having regard to the facts and circumstances of the case and as the injury is grievous in nature, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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