

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68119 of 2022

Arising Out of PS. Case No.-184 Year-2022 Thana- SHAHKUND District- Bhagalpur

1. KARTIK KUMAR MANDAL @ KARTIK MANDAL SON OF PRAYAG MANDAL R/O VILLAGE- JANIPUR, P.S.- SHAHKUND, DISTRICT- BHAGALPUR
2. RITA DEVI @ RITIYA DEVI WIFE OF KIRAN MANDAL R/O VILLAGE- JANIPUR, P.S.- SHAHKUND, DISTRICT- BHAGALPUR
3. LACHIYA DEVI @ LAKSHMI DEVI WIFE OF DEVENDRA MANDAL R/O VILLAGE- JANIPUR, P.S.- SHAHKUND, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard the parties.

Petitioners apprehend their arrest in a case registered u/s
147, 148, 149, 323, 307, 325, 427, 504 IPC.

Allegation made in the F.I.R. against the accused persons
including petitioners is that they brutally assaulted the
informant's side, due to which they sustained injury.

It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence.
They have been falsely implicated in this case due to grudge. No
such occurrence, in the manner as alleged, has ever taken place.
The allegation leveled against the petitioners is not specific
rather general and omnibus in nature. The parties are agnates



and there is an admitted land dispute between them. Except some injuries, other injuries are simple in nature and which is not specifically attributed upon the petitioners. The F.I.R. was lodged on 03.07.2022 though the occurrence took place on 30.05.2022 and no explanation regarding the delay has been advanced, which creates doubt about the prosecution case. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond 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 Shakund P.S. Case No.184 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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