

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72100 of 2023

Arising Out of PS. Case No.-216 Year-2020 Thana- BANMANKHI District- Purnia

Subhash Mandal @ Subhash Chandra Mandal Son Of Late Raghunandan
Mandal R/O Village- Pipra, P.S.- Banmankhi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner, learned A.P.P. for the
State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for
the offences punishable under Sections 147, 148, 149, 341, 323, 325,
120(B), 302, 379 and 506 of the Indian Penal Code.

3. It is submitted by learned counsel for the petitioner that no
such occurrence as alleged ever took place. Petitioner has been
falsely implicated in this case. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature. There
is admitted land dispute between the parties. Both sides have filed
cases against each other. Learned counsel further submits that there is
no overt act against the petitioner. No eye-witness of the commission
of alleged occurrence. Similarly situated co-accused, namely,
Chandan Mandal, Jai Kumar Mandal, Rinku Mandal, Raja Mandal
and Baby Devi have been enlarged on bail by a co-ordinate bench of



this court *vide* order dated 27.07.2023 passed in Cr. Misc. No. 35246 of 2023. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

4. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, final form submitted against the petitioner and also co-accused bail, let the above named petitioner, 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 lower Court where the case is pending/successor Court in connection with Banmankhi P.S. Case No. 216 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. However, trial Court is directed to verify criminal antecedent of the petitioner if it is found that the petitioner has more than two criminal antecedents then his bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

annpurna/-

U		T	
---	--	---	--

