

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76740 of 2023

Arising Out of PS. Case No.-580 Year-2023 Thana- NATHNAGAR District- Bhagalpur

1. Shiphal Mandal S/O Late Bindeshwari Mandal R/O Village - Raghapur, P.S. - Nath Nagar, District - Bhagalpur
2. Rekha Devi W/O Shiphal Mandal R/O Village - Raghapur, P.S. - Nath Nagar, District - Bhagalpur
3. Sudhir Mandal @ Sudhir Kumar Mandal S/O Shiphal Mandal R/O Village - Raghapur, P.S. - Nath Nagar, District - Bhagalpur
4. Nageshwar Mandal S/O Late Bindeshwari Mandal R/O Village - Raghapur, P.S. - Nath Nagar, District - Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-12-2023 Learned counsel for the petitioners are permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Nath Nagar P.S. Case No. 580 of 2023 dated 13.07.2023 registered for the offence/s punishable u/ss 341, 323, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code.



4. As per the prosecution case, on 13.07.2023 in the morning, the petitioner no. 2 Nageshwar Mandal, the petitioner no. 3 Shiphai Mandal, along with co-accused came to the land of the informant and started putting *Tatiya* on the said land. Further, the informant's mother asked them not to do so, the two persons along with petitioners and the co-accused abused and assaulted her.

5. Learned counsel for the petitioners have submitted that the petitioners have falsely been implicated in this case due to village politics. There is general and omnibus allegation against the petitioner. It is stated that their injuries does not supports the factum of prosecution case, more so all have sustained injuries is being simple in nature. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhagalpur in connection with Nath Nagar P.S. Case No. 580 of 2023, subject to conditions as



laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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