

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.659 of 2023

Arising Out of PS. Case No.-491 Year-2022 Thana- KAHALGAON District- Bhagalpur

1. Ramdeo Mandal Son of Rudal Mandal R/o Village and Post - Ekchari, P.S.- Rasalpur, District - Bhagalpur
2. Deepak Mandal @ Deepak Kumar Son of Dewan Mandal R/o Village and Post - Ekchari, P.S.- Rasalpur, District - Bhagalpur
3. Pawan Mandal @ Pawan Kumar Son of Dewan Mandal R/o Village and Post - Ekchari, P.S.- Rasalpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Nawal Kishore Prasad,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-05-2023 Heard the learned counsel for the petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Kahalgaon (Rasalpur) P.S. Case No.491 of 2022, registered for offences under Sections 147, 148, 149, 341, 323, 325, 504, 506 and 324 of the IPC.

The allegation is regarding the accused persons having surrounded the informant and brutally assaulted him. It appears that specific allegation has been levelled against the co-accused persons namely, Gurudeo Mandal, Devan Mandal and Pritam Mandal.



The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that as far as petitioner no.1 is concerned, he is having a clean antecedent, while the petitioners no.2 and 3 are accused in two other cases, but have been granted the privilege of anticipatory bail. It is also submitted that as far as the petitioners are concerned, a bare perusal of the F.I.R. would show that a general and omnibus allegation has been levelled against them and they have not been alleged to have engaged in any sort of specific overt act qua the informant and others.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been



levelled against the petitioners and no injuries sustained by the injured persons are attributable to them, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Rasalpur) P.S. Case No.491 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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