

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22538 of 2024

Arising Out of PS. Case No.-307 Year-2022 Thana- PHULPARAS District- Madhubani

1. Deepak Kumar Mandal @ Deepak Mandal Son of Dineshwar Mandal Resident of Village- Dharmdiha Godhiyari Tole, P.S. Phulparas, District- Madhubani.
2. Ram Narayan Mandal Son of Lal Dev Mandal Resident of Village- Khopa, P.S.- Phulparas, District- Madhubani.
3. Ghuran Mandal Son of Late Ramchandra Mandal Resident of Village- Andhra P.S. Andhratharhi, District- Madubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners have preferred this application for grant of anticipatory bail in connection with Phulparas P.S. Case No. 307 of 2022, corresponding to G.R. Case No. 1052/22, dated 28.06.2022 for the offences punishable under Sections 341, 323, 324, 307, 354B, 379, 427/34 of the Indian Penal Code.

3. As per the prosecution case, the co-accused persons namely Maheshwar Mandal, Dineshwar Mandal, Dilip Mandal and four unknown miscreants are alleged to have assaulted the informant with legs and fists. When the informant gave



information of the alleged occurrence to the concerned Police Station, then the petitioners and 15 unknown miscreants variously armed with deadly weapons abused and also assaulted the informant on his head by means of sharp weapon with intention to kill. They also smashed T.V. set kept at Dalan and assaulted the informant's Bhabhi by means of farsa due to which she sustained head injury and tried to outrage her modesty and snatched golden chain.

4. Learned counsel for the petitioners has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. There is land dispute between both the parties. From perusal of the injury report, the injuries are found to be simple in nature as stated in para 12 of the bail petition. There is no specific allegation attributed against the petitioners rather the allegation is general and omnibus. There is case and counter case between both the parties.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of injury is found to be simple in nature, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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, Jhanjharpur, District- Madhubani in connection with Phulparas P.S. Case No. 307 of 2022, corresponding to G.R. Case No. 1052/2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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