

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20070 of 2024

Arising Out of PS. Case No.-308 Year-2023 Thana- RAJNAGAR District- Madhubani

1. Mahendra Mandal son of Late Bankar Mandal Village- Sherahi tol Ps- Rajnagar Dist- Madhubani
2. Jhari Mandal @ Zari Mandal son of Late Bankar Mandal Village- Sherahi tol Ps- Rajnagar Dist- Madhubani
3. Dinesh Mandal son of Jhari Mandal @ Zari Mandal Village- Sherahi tol Ps- Rajnagar Dist- Madhubani
4. Mahesh Mandal son of Bhutakun Mandal Village- Sherahi tol Ps- Rajnagar Dist- Madhubani
5. Rahul Mandal son of Dukhi Mandal Village- Sherahi tol Ps- Rajnagar Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners apprehend their arrest in connection with Rajnagar P.S. Case No. 308 of 2023 registered under Sections 143, 341, 323, 324, 308, 354, 379, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, all the F.I.R. named accused persons including these petitioners assaulted the informant and his family members by means of *lathi*, *danda*, iron rod and



farsa due to which they sustained injuries.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. There is general and omnibus allegation against the petitioners. Further submission is that due to land dispute between both the parties, this alleged occurrence took place. For the same occurrence there is case and counter case between the parties.

5. Learned Addl. Public Prosecutor appearing on behalf of the State vehemently opposed the prayer for bail of petitioner no. 4, namely, Mahesh Mandal by contending that the injuries allegedly caused by this petitioner is grievous in nature. Hence, this petitioner does not deserve to be enlarged on bail.

6. Considering the nature of injury caused by the petitioner no. 4, namely, Mahesh Mandal, this Court is not inclined to grant anticipatory bail. Accordingly, the prayer for bail with respect to petitioner no. 4 is rejected.

7. So far as petitioner nos. 1, 2, 3 and 5 are concerned, since the injuries caused by these petitioners are simple in nature, let the petitioners no. 1, 2, 3 and 5 be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail-bonds of Rs.



10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Madhubani in connection with Rajnagar P.S. Case No. 308 of 2023 corresponding to G.R. No. 2318 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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