

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36229 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- KAHALGAON District- Bhagalpur

Gurudeo Mandal Son of Late Yugal Mandal Resident of Village-Amapur
Trimohan , P.S- Kahalgaon , Dist- Bahgalpur

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kahalgaon P.S. Case No. 161 of 2024, lodged on 05.03.2024
under Sections 323, 341, 307, 504, 506, 34 of the Indian Penal
Code read with sections 25(1-b)a, 26, 27, 35 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against four named accused persons including the present
petitioner and two unknown accused persons. The allegation
against the petitioner is that he and other accused persons in
connivance with each other reached near the house of the
informant and assaulted by the butt of *desi katta* on the head of
the informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel also submits that both the informant and petitioner are well known to each other and they are resident of the same village and on petty issue, the scuffling took place between them. Counsel further submits that the injury report has been annexed which indicates that the said injury is simple in nature. Counsel submits that the criminal antecedent of the petitioner is not clean and there are three criminal cases pending against him. The petitioner is in custody since 06.03.2024 in the present case. Counsel submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed on him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that case diary has been called for in which it has come that the said injury is simple in nature.

6. In the present facts and circumstances of this case, let the petitioner above named be granted bail, but only after framing of charge as well as on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with



Kahalgaon P.S. Case No. 161 of 2024, subject to the conditions
as laid down U/s 437(3) Cr.P.C.

7. Pending cases of the petitioner are as follows:-

- (I)- Kahalgaon P.S. Case No. 261 of 2018.
- (II)- Kahalgaon P.S. Case No. 259 of 2020.
- (III)- Kahalgaon P.S. Case No. 765 of 2020.

(Dr. Anshuman, J)

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