

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35475 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- PRANPUR District- Katihar

1. Lalit Mandal @ Lalit Kumar @ Lalit Kumar Mandal S/O Ramanand Mandal, R/O Marocha, P.S.- Prampur, Dist- Katihar
2. Rina Devi W/O Lalit Mandal @ Lalit Kumar @ Lalit Kumar Mandal, R/O Marocha, P.S.- Prampur, Dist- Katihar
3. Pintu Kumar @ Pinku Kumar @ Pinku Mandal S/O Sitaram Mandal, R/O Marocha, P.S.- Prampur, Dist- Katihar
4. Sikendra Kumar @ Sikandar Kumar S/O Sitaram Mandal, R/O Marocha, P.S.- Prampur, Dist- Katihar
5. Sita Ram Mandal S/O Late Santlal Mandal, R/O Marocha, P.S.- Prampur, Dist- Katihar
6. Laxmi Devi W/O Sitaram Mandal, R/O Marocha, P.S.- Prampur, Dist- Katihar
7. Puja Kumari D/O Late Pramod Mandal, R/O Marocha, P.S.- Prampur, Dist- Katihar
8. Kiran Devi W/O Late Pramod Mandal, R/O Marocha, P.S.- Prampur, Dist- Katihar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sanjeev Kumar Singh, Advocate
For the Informant : Mr. Suresh Prasad Sah @ Baranwal, Advocate
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-07-2024 Heard Mr. Sanjeev Kumar Singh, the learned
counsel for the petitioners, Mr. Suresh Prasad Sah @
Baranwal, the learned counsel for the informant and Mr.
Shailendra Kumar, the learned Additional Public Prosecutor
for the State.



2. After some arguments, learned counsel for the petitioners seek permission to withdraw the anticipatory bail application with respect to petitioner no. 1 namely, Lalit Mandal @ Lalit Kumar @ Lalit Kumar Mandal.

3. Permission, as prayed for, is accorded.

4. Accordingly, the anticipatory bail application with respect to petitioner no. 1, namely, Lalit Mandal @ Lalit Kumar @ Lalit Kumar Mandal is dismissed as withdrawn.

5. The petitioner nos. 2 to 8 are apprehending their arrest in connection with Prampur PS Case No. 04 of 2024, FIR dated 05.01.2024, registered for the offences punishable under Sections 341, 323, 307, 354(B), 384, 379, 504 and 506 read with Section 34 of the Indian Penal Code.

6. According to the prosecution case, all the FIR named accused persons came at the door of the informant and assaulted the informant and her family members. It is further alleged that one Lalit Mandal @ Lalit Kumar assaulted Masomat Archana Devi by means of *farsa* and one Pintu Mandal assaulted to the husband of the informant on his head by means of sword causing injury. It is further alleged that the co-accused persons also snatched valuable ornaments.

7. Learned counsel for the petitioner nos. 2 to 8



submits that petitioner nos. 2 to 8 have clean antecedent and they have falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner nos. 2 to 8 have not committed any offence as alleged in the FIR. He further submits that upon perusal of the FIR, it appears that there is direct allegation against co-accused person namely, Lalit Mandal @ Lalit Kumar @ Lalit Kumar Mandal, who has assaulted to one Masomat Archana Devi and petitioner no. 3 has assaulted to one Dipak Kumar. He further submits that although, Dipak Kumar has received the injury, but the injury report of Dipak Kumar suggests that injury is simple in nature. He lastly submits that there is no specific allegation of any assault or overt act attributed against other petitioners.

8. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners.

9. Considering the aforesaid facts and circumstances and mainly the facts that petitioner nos. 2 to 8 have clean antecedent and injury report of the injured person suggests that injury is simple in nature, let the petitioner nos. 2 to 8,



above-named, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Katihar, where the case is pending in connection with **Pranpur PS Case No. 04 of 2024**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner nos. 2 to 8 shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioner nos. 2 to 8 tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioner nos. 2 to 8 and in case, at any stage, it is found that the



petitioner nos. 2 to 8 have concealed their criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner nos. 2 to 8. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Shahnawaz/-

U		T	
---	--	---	--

