

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41562 of 2024

Arising Out of PS. Case No.-678 Year-2023 Thana- SURSAND District- Sitamarhi

1. Navin Kumar @Navin Mandal S/O Vilash Mandal @RamBilash Mandal R/O Village Gorhari, P.S. Parihar, Dist. Sitamarhi
2. Sarowar Mandal @Sarobar Mandal S/O Nathuni Mandal R/O Village Gorhari, P.S. Parihar, Dist. Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-07-2024

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Sursand P.S. Case No. 678/ 2023 dated 03.12.2023 registered for the offence(s) punishable under Section(s) 323, 324, 307, 452, 354, 354B, 379, 504, 506 read with 34 of the Indian Penal Code.

3. Mr. Santosh Kumar, learned counsel for the petitioners submits that altogether nine named persons and 5-6 unknown persons have been shown to be involved in the alleged occurrence as per F.I.R. but there is no specific allegation against petitioner No.1, Navin Kumar @ Navin Mandal and most of the injuries sustained by the victims are simple in nature



except the injuries of Ramesh Mukhiya and Keshav Kumar and the alleged occurrence is said to have committed on 01.12.2023 whereas the F.I.R. was lodged on 03.12.2023 and the said delay has not been explained properly.

4. Mr. Rajendra Prasad Nat, learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Having considered the nature of allegation appearing against petitioner No.2, Sarowar Mandal @ Sarobar Mandal, who is said to have assaulted at the head of informant's husband by means of sword, as appears from the F.I.R., this court is not inclined to grant relief of anticipatory bail to him. Accordingly, his prayer stands rejected.

6. Against petitioner No.1, there is no specific allegation in the F.I.R. so considering this aspect as well as his fair and clean antecedent mentioned in the petition, this court is inclined to grant him privilege of anticipatory bail. Accordingly, let the petitioner No.1 named-above, in the event of his arrest/surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail in connection with Sursand P.S. Case No. 678/ 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned,



subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Shailendra Singh, J)

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