

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2933 of 2023

Arising Out of PS. Case No.-327 Year-2022 Thana- LAUKAHA District- Madhubani

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1. RANJEET KUMAR MANDAL @RANJEET MANDAL @ RANJEET KISHAN MANDAL SON OF LATE BIHARI MANDAL @ LATE KISHAN MANDAL RESIDENT OF VILLAGE - MANSAPUR, POLICE STATION - LAUKAHA (LALMANIYA O.P.), DISTRICT - MADHUBANI
 2. SANJIV @ SANJIT MANDAL @ SANJIV MANDAL SON OF LATE BIHARI MANDAL @ LATE KISHAN MANDAL RESIDENT OF VILLAGE - MANSAPUR, POLICE STATION - LAUKAHA (LALMANIYA O.P.), DISTRICT - MADHUBANI

... .. Appellant/s

Versus

1. THE STATE OF BIHAR BIHAR, PATNA
2. BADUR DEVI @ BUDAR DEVI WIFE OF BINOD SADAI RESIDENT OF VILLAGE - GADHIYA, POLICE STATION - LAUKAHA (LALMANIYA O.P.), DISTRICT - MADHUBANI

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Jha
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 20-11-2024 1. Heard learned counsel for the appellants and learned counsel for the State.
2. No one appears for the respondent no. 2.
3. Learned counsel for the State informs that pursuant to the order dated 30.08.2023 the respondent no. 2 was put on notice by him.
4. The appellants apprehend their arrest in connection with Laukaha (Lalmaniya O.P.) P.S. Case No. 327 of 2022 registered for the offence under Section 341, 342, 323, 324, 504, 506 / 34



of the IPC and Section 3 (i)(R)(S) / 3(2) (Va) of the SC / ST Act and being aggrieved by the order dated 31.03.2023 passed by learned 1st Addl. Sessions Judge - cum-Special Judge, Madhubani has preferred this appeal for grant of anticipatory bail.

5. The allegation as per the first information report is that on 18.12.2022 while the informant was coming along with three other persons after collecting woods for fuel and no sooner than she reached near the orchard of the appellants, they said the informant and others why wood from their orchard was cut by them. When the informant denied the fact that they have cut wood from their orchard, the appellants abused and assaulted the informant and others.

6. Learned counsel for the appellants submits that they have falsely been implicated in this case due to dispute regarding cutting of wooden log from the orchard of the appellants. Both the parties are co-villagers and the allegation of assault by the appellants is fabricated and no serious injury has been caused to the informant and others. There is no allegation of calling the informant by caste name in public view.

7. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact



that occurrence has taken place due to dispute regarding cutting of wood from the orchard and the injuries caused to the informant and others are simple in nature as per the case diary, I am inclined to grant anticipatory bail to the appellants.

8. Accordingly, the order dated 31.03.2023 passed in A.B.P. No. 565 of 2023 arising out of Laukaha (Lalmaniya O.P.) P.S. Case No. 327 of 2022 passed by 1st Addl. Sessions Judge-cum-Special Judge, Madhubani is hereby set aside.

9. Let the appellants, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-cum-Special Judge, Madhubani in connection with Laukaha (Lalmaniya O.P.) P.S. Case No. 327 of 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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