

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47382 of 2024

Arising Out of PS. Case No.-105 Year-2024 Thana- SULTANGANJ District- Bhagalpur

1. Kailash Mandal Son of Bindeshwari Mandal @ Vindeshwari Mandal Resident of Vill- Fatehpur, P.S.- Sultanganj, District- Bhagalpur
2. Gautam Mandal Son of Maheshi Mandal Resident of Vill- Fatehpur, P.S.- Sultanganj, District- Bhagalpur
3. Manish Kumar Manwa @ Manish Kumar @ Manish Kumar Mandal Son of Ganeshi Mandal Resident of Vill- Fatehpur, P.S.- Sultanganj, District- Bhagalpur
4. Rawana Mandal @ Khanna Mandal @ Alok Kumar Son of Ganeshi Mandal Resident of Vill- Fatehpur, P.S.- Sultanganj, District- Bhagalpur
5. Bilas Mandal @ Vilas Mandal @ Bilchal Mandal Son of Late Gaibi Mandal Resident of Vill- Fatehpur, P.S.- Sultanganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Davendra Kumar Pandey
For the State	:	Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2024 Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 342, 323, 325, 307m 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, these petitioners armed with deadly weapons abused and assaulted. Petitioner no. 1 put the pistol on his head, petitioner no. 2 tied his neck by Gamcha and petitioner no. 3 assaulted him by Firibut.



4. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners no. 1, 2, 4 and 5. The allegation of assault is only against the petitioner no. 3. The petitioner no. 1 has one criminal antecedent and petitioners no. 2, 3, 4 and 5 are clean antecedent. Doctor has found the injury grievous caused by hard and blunt substance.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and also specific allegation of assault is on the petitioner no. 3, this Court is not inclined to enlarge the petitioner no. 3 on anticipatory bail.

7. Hence, the prayer for anticipatory bail of the petitioner no. 3 stands rejected.

8. So far as petitioners no. 1, 2, 4 and 5 are concerned, this anticipatory bail is allowed, let the above named petitioners no. 1, 2, 4 and 5 in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned ACJM, 1st Bhagalpur in connection with
Sultanganj P.S. Case No. 105 of 2024, subject to condition as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

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