

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51064 of 2024

Arising Out of PS. Case No.-441 Year-2023 Thana- CHHATAPUR District- Supaul

1. Durganand Mandal Son of Shri Shambhu Mandal Resident of Chhatapur, Pariyahi Ward No. 4, P.S.- Chhatapur, District- Supaul, Pincode- 852137, Bihar.
2. Nitish Mandal Son of Shambhu Mandal Resident of Chhatapur, Pariyahi Ward No. 4, P.S.- Chhatapur, District- Supaul, Pincode- 852137, Bihar.
3. Shambhu Mandal Son of Late Lali Mandal Resident of Chhatapur, Pariyahi Ward No. 4, P.S.- Chhatapur, District- Supaul, Pincode- 852137, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhakar Nath Rai, Advocate
		Ms. Tanushri. Advocate
For the State	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 23-09-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. This is an application for regular bail on behalf of the petitioners for the offences alleged under Sections 341, 323, 324, 325, 354B, 307, 302, 504/34 of the Indian Penal Code, registered in connection with Chhatapur P.S. Case No. 441 of 2023.

3. The allegation against the petitioners along with others assaulting the informant and his family members due to which they sustained injury. The informant further alleged that



due to brutally assault by the accused persons, his father died during course of treatment.

4. The learned counsel for the petitioners has submitted that they have been falsely implicated in this case and have committed no offence. The F.I.R. itself shows that the occurrence had taken place as both the parties were claiming a pond for fish catching. He submitted that there is no allegation of assault to the deceased against these petitioners rather the specific allegation of assault is against co-accused Amit Mandal @ Guddu Mandal who inflicted the deceased by the handle of hand-pump upon his head. As per postmortem report, it appears that the deceased died due to solitary head injury. Petitioners are person of clean antecedent and they are in custody for about nine months.

5. Learned APP for the State has opposed the prayer of bail.

6. Considering the above facts and circumstances of the case as well as petitioners have clean antecedent, let the petitioners, above-named, be released 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 Sessions Judge, Supaul in connection with Chhatapur P.S. Case No. 441



of 2023, subject to the condition that the petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the Court.

7. Petitioners shall remain physically present as directed by the Court and on their absence on two consecutive dates without without sufficient reason, their bail bonds shall be cancelled by the Court below.

(Nawneet Kumar Pandey, J)

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