

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56357 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- Bypass District- Bhagalpur

Vikash Mandal @ Vikash Kumar Mandal, son of Umesh Mandal, resident of
Village- Ganeshpur Tinpuliya, P.S- Bypass, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Bypass P.S. Case No. 07 of 2024, registered for the alleged offences under Sections 341, 323, 386, 448, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and two other co-accused persons entered into the house of the informant and abused and assaulted him. They have been demanding Rs. 1 lac in extortion. They also snatched lock and key from the Mistri and labourer.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The parties are next door neighbours and there is ongoing



land dispute between them. Prior to the said occurrence on 25.02.2024, the informant and others entered into the house of the petitioner and assaulted the mother of the petitioner, who was treated for her injuries in JNMCH, Bhagalpur. The petitioner's side did not want to lodge any report, but when the informant lodged this false case, they were compelled to register their FIR. Further, the informant has lodged the FIR with delay of 3 days for which there is no explanation. The petitioner is having antecedent of one case in which he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and its counter version and further considering the background of land dispute and possibility of false implication, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Bypass P.S. Case No.



07 of 2024, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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