

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50832 of 2024

Arising Out of PS. Case No.-126 Year-2023 Thana- BIRAUL District- Darbhanga

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1. MANOJ KUMAR MANDAL @ MANOJ KUMAR, SON OF DEB CHANDRA MANDAL @ DEB CHANDRA MANDAL, RESIDENT OF VILLAGE - MANIKPUR (BRHM DUTT TOL), POLICE STATION - BIRAUL, DISTRICT - DARBHANGA
 2. DEEPAK MANDAL @ DEEPU KUMAR MANDAL, SON OF RAM CHANDRA MANDAL, RESIDENT OF VILLAGE - MANIKPUR (BRHM DUTT TOL), POLICE STATION - BIRAUL, DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-07-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Biraul P.S. Case no. 126 of 2023 registered under sections 307, 341, 323, 324, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the accused persons including the two petitioners herein are said to have come variously armed and of having assaulted the informant and his family members leading to various injuries.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case because of



land dispute between the parties. The injury report does not corroborate the allegation of assault by so many persons. In any case of the matter, the injuries have been found to be simple in nature. The case of the petitioners stands on a similar footing to that of co-accused Dheeraj Mandal, Hari Kishore Mandal and Ram Kishore Mandal, all three of whom have been enlarged on anticipatory bail vide order dated 1.11.2023 passed in Cr. Misc. no.65750 of 2023. The petitioners have no criminal antecedent and undertake to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners in the F.I.R., the injuries attributable to the petitioners having been found to be simple in nature and grant of bail to similarly situated three co-accused named above vide aforesaid order dated 1.11.2023 (Annexure-P/3), it is directed that both the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Biraul P.S. Case no. 126 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Additional Chief
Judicial Magistrate-I, Benipur, Darbhanga.

(Partha Sarthy, J)

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