

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50003 of 2024

Arising Out of PS. Case No.-428 Year-2023 Thana- SULTANGANJ District- Bhagalpur

1. SANKARANAND MANDAL @ FANTUSH MANDAL @ SANKERA MANDAL @ SANKERA NAND SINGH S/O LATE BAJKISHOR MANDAL R/O VILLAGE- UDHADIH, P.S- SUALTANGANJ, DISTT.- BHAGALPUR.
2. RAMDAYAL MANDAL @ RAMDAYAL KUMAR S/O FANTUSH MANDAL R/O VILLAGE- UDHADIH, P.S- SUALTANGANJ, DISTT.- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Koshalendra Rai
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-08-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sultanganj Police Station Case No. 428 of 2023, dated 19.08.2023, disclosing offences punishable under Sections 341/323/324/307/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 05.08.203 at about 6 AM, while the informant's husband had gone for grazing the buffaloes, the petitioners, along with other co-accused persons, entered



into a dispute with him and it has been alleged that all the accused persons assaulted the informant's husband and when the informant intervened, the petitioner no. 1 assaulted the informant by means of sword, due to which she sustained injury in her left hand and her fingers were broken.

4. Learned Counsel for the petitioners submits that the dispute had arisen between both the parties on a trivial issue of grazing of buffaloes. The allegation against the petitioner no. 2 is general and omnibus in nature and though the injuries caused to the husband of the informant is grievous in nature, the same is on the non-vital part of the body, i.e. right hand fingers. So far as injuries sustained by the informant is concerned, the same is simple in nature caused by hard and blunt substance; whereas the allegation against the petitioner no. 1 is that he assaulted the informant by a sharp cutting weapon, i.e. sword. He next submits that both the parties have amicably compromised their dispute and have filed a joint compromise petitioner in the Court of learned 1st Additional Chief Judicial Magistrate, Bhagalpur.
5. Regards being had to the submissions advanced on



behalf of the parties and taking into consideration the fact that the injury caused to the informant is simple in nature and that of her husband, though grievous, but on the non-vital part of the body, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, 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 1st Additional Chief Judicial Magistrate, Bhagalpur, in connection with Sultanganj Police Station Case No. 428 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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