

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59693 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- Safiyasarai District- Munger

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1. Pramod Mandal, Son Of Late Kazelal Mandal Resident Of Village - Dakra Satkhjuria, P.S. - Naya Ram Nagar, District - Munger
 2. Rita Devi, Wife Of Pramod Mandal Resident Of Village - Dakra Satkhjuria, P.S. - Naya Ram Nagar, District - Munger
 3. Satish Mandal, Son Of Pramod Mandal Resident Of Village - Dakra Satkhjuria, P.S. - Naya Ram Nagar, District - Munger
 4. Budhan Mandal, Son Of Pramod Mandal Resident Of Village - Dakra Satkhjuria, P.S. - Naya Ram Nagar, District - Munger

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deep Anshuman
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-09-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 323, 324, 341, 307, 354A, 379, 506, 504 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 07.03.2024, he had gone to take water from the hand-pump fixed on the land of Sushil Yadav. It is next



alleged that Satish assaulted the informant by an iron rod causing injury on his head. Thereafter, Budhan and Raju also assaulted him by lathi repeatedly causing injury on his body, thereafter Satish slammed the mother of the informant on ground and thereafter, everyone assaulted by kicks and fists and Budhan snatched Rs.15,000/- and golden locket of the informant.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case on account of dispute relating to land. It is also submitted that on account of dispute relating to taking water, an altercation had taken place, in which both sides assaulted each other, but then, instant FIR came to be instituted with an exaggerated allegation of assault. It is also submitted that the injury suffered by Deepak (informant) is simple in nature, which amply demonstrates that petitioners never had any intention of committing a serious occurrence and as far as allegation of assaulting the mother and snatching Rs.15,000/- along with golden locket is alleged, the same is ornamental to give seriousness to the case.

5. Learned A.P.P. opposes the anticipatory bail application and submits that though it has been submitted that Deepak suffered simple injury, but then, the injury report is not



on record.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Safiyasarai P. S. Case No.03 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioners shall verify the injury report of Deepak and in the event, if it is found that Deepak has suffered grievous injury, in that event, the present anticipatory bail order shall not be given effect to. However, if the injury suffered by Deepak is simple in nature, in that event, the bail bonds of the petitioners shall be accepted forthwith.

(Satyavrat Verma, J)

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