

Arising Out of PS. Case No.-62 Year-2024 Thana- BIRAUL District- Darbhanga

Arising Out of PS. Case No.-62 Year-2024 Thana- BIRAUL District- Darbhanga

1. Jogi Mandal Son of Late Bhola Mandal R/O Bhawanipur, P.s.- Biraul, Dist.- Darbhanga.
2. Pappu Mandal Son of Yogi Mandal R/O Bhawanipur, P.s.- Biraul, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv
Mr. Gajendra Prasad Yadav, Adv

For the Opposite Party/s : **Mr.Sunil Kumar Pandey**

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2024 1. Heard learned senior counsel for the petitioners,
Shri. Krishna Prasad Singh and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354(B), 353, 307, 504, 506/34 of the Indian Penal Code.

3. Learned senior counsel for the petitioners submits that the petitioner No. 1 is a person with clean antecedent and Petitioner No. 2 has antecedent of one case and the informant alleges that on 12-2-2024, he along with other police official reached the house of Pappu Mandal, who was accused in Biraul P.S. Case No. 520 of 2023 under Excise Act and apprehended Pappu but after arresting Pappu Mandal when he was being



taken to the police station when it is alleged that Jogi Mandal (Petitioner No.1) along with other accused came and started assaulting the informant and rest of the police force and taking advantage of the ruckus created, Pappu fled.

4. Learned senior counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is also submitted that it absolutely does not stand to reason that petitioner No. 1 along with other would have assaulted the police force. It is next submitted that since Petitioner No. 1 is related to Pappu Mandal, hence he has been implicated. It is also submitted that even Pappu Mandal was not arrested.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that there is specific allegation that Pappu Mandal was apprehended but then he fled taking advantage of the ruckus.

6. Considering the submission made by learned APP, the Court is not inclined to extend the privilege of anticipatory bail to Pappu Mandal, (Petitioner No. 2)

7. However, Jogi Mandal (Petitioner No. 1), in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Biraul P.S. Case No. 62 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, the anticipatory bail application is partly allowed.

(Satyavrat Verma, J)

SUMIT/-

U		T	
---	--	---	--

