

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59725 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- Ramgarh Chowk District- Lakhisarai

Padan Mandal @ Amrendra Mandal S/o Sri Ram Balak Mandal R/o Village-
Ramgarh, Police Station- Ramgarh Chowk, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Pankaj, Advocate.

For the Opposite Party/s : Mr.Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-09-2024 Heard Mr. Kumar Pankaj, learned counsel appearing
on behalf of the petitioner and Mr. Manoj Kumar, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ramgarh Chowk P.S. Case No. 48 of 2024 registered for
the offence(s) punishable under Sections 323, 341, 379, 326,
504 and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, informant
had gone to the house of the petitioner to recover his dues
amount. On this, the petitioner is said to have abused the
informant and manhandled him causing grievous injury on his
eye.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner has stated the manner in



which the incidence has taken place, in Para-6 and 7 of the bail application, which are, *inter alia*, reproduced hereinafter:

“6. That it is true that the petitioner had taken the cloth from the informant and for that payment was not made by him on that date subsequently the informant came for his dues from petitioner then he requested him to come on next date, as he was unable to pay due to financial scarcity, and upon that the informant became aggressive and all of a sudden jumped upon the petitioner and tried to assault him, but the petitioner in order to save himself, jerked his body in other direction and due to that the informant fell down on stone lying there and got injured. Hence the petitioner cannot be attributed for the accident, as the informant himself is liable to be blamed for the injury.

7. That it has subsequently been transpired that the instant F.I.R. against the petitioner is a well hatched out conspiracy and an outcome of dirty village politics. It is also transpired that the said informant is acting at the instance of an influential person of the village, who is not having good relation with petitioner.”

On the above ground, the petitioner seeks to be released on bail.

5. Mr. Ravi Bhushan, learned counsel has tendered his appearance on behalf of the informant and submitted that the petitioner is the one who had assaulted the informant causing injury on his eye. The statement made in para-6 and 7 of the bail application cannot be sustained and the petitioner has not availed any remedy for the manner in which the incidence has taken place.

6. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and informed that the recovery of goods has been made from the



house of the petitioner.

7. Having considered the rival submissions made on behalf of the parties, as well as, the fact that as per the allegation, the petitioner had assaulted on the eye of the informant and as per the opinion of the doctor, the informant has lost his eye sight, as it would appear from the perusal of the impugned order, I am not inclined to enlarge the petitioner on pre-arrest bail. The bail application of the petitioner stands rejected.

8. However, the petitioner, if so advised, may surrender before the learned District Court and seek regular bail and the learned District Court is directed to hear the bail application of the petitioner on the same day and pass a reasoned order.

(Purnendu Singh, J)

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