

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61458 of 2023

Arising Out of PS. Case No.-178 Year-2020 Thana- LAKHNAUR District- Madhubani

Vinay Mandal, aged about 40 years, Gender-Male, Son of Late Nathuni Mandal, Resident of Village- Berma, P.S.- Lakhanaur (R.S.O.P.), Distt-Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 13-02-2024 This matter has been listed under the heading “For Orders (on office notes)”.

2. Learned counsel for the petitioner is permitted to make necessary correction in the prayer portion of the bail application, in course of the day.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

4. The petitioner is apprehending his arrest in connection with Lakhnaur (R.S.O.P.) P.S. Case No. 178 of 2020 dated 18.07.2020 registered for the offences punishable under Sections 341, 323, 324, 325, 308, 504, 506 and 34 of the I.P.C.

5. As per the prosecution case, the petitioner and other accused persons are alleged to have assaulted the informant and



his companions with deadly weapons due to which they sustained injuries.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the present case is a counter blast of Lakhnaur (R.S.O.P) P.S. Case No. 155 of 2020 lodged by co-accused Suresh Safi against the informant of the present case. It is submitted that the petitioner has not assaulted the informant rather the informant has assaulted the petitioner. The alleged incident took place on 02.07.2020 but the F.I.R. was lodged on 18.07.2020 after an ordinate delay of 15 days. There is land dispute between the parties. There is general and omnibus allegation against the petitioner. The other co-accused have been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 41218 of 2022, annexed as Annexure-3 to the bail application. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

7. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be



enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Jhanjharpur, Madhubani, in connection with Lakhnaur (R.S.O.P.) P.S. Case No. 178 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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