

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64958 of 2024

Arising Out of PS. Case No.-1199 Year-2023 Thana- COMPLAINT CASE District- Banka

Sunil Mandal S/O Rajendra Mandal R/O village Laskari (Mandal Tola),
Police Station- Banka, District-Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjeev Kumar S/O Late Manohar Mandal R/O Village- Bhulani Tola
Malmala, P.S.- Sajour, District- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-10-2024 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 1199 of 2023, in which cognizance has been taken for the offences punishable under Sections 323/308/341/504/34 of the Indian Penal Code.

3. The prosecution case, as per the complaint petition filed by the Opposite Party No. 2, is that on 10.07.2023 at about 02:00 PM, the complainant went to Civil Court, Banka for furnishing bail bond as he was granted anticipatory bail in Criminal Misc. No. 23263 of 2023 in the First Information Report lodged by the accused no. 1, Moni Kumari, who is the



wife of the complainant. He has further alleged that accused no. 1, along with her family members, dragged the complainant by holding his shirt and the petitioner tied the cloth in his neck and dragged him from the Court premises to Banka Police Station where he was illegally detained till evening in the police station and was subsequently released after taking his signature on a blank paper. He further submits that the petitioner has been made accused on the basis of the fact that he happens to be the maternal uncle (Mausa) of co-accused Moni Kumari. He further said that there is marriage discord between the complainant and co-accused Moni Kumari and co-accused Moni Kumari has lodged a case in which he was granted bail by this Hon'ble Court. He further submits that learned 2nd Additional Sessions Judge, Banka had called for a report from the Banka Police Station regarding the incident and in pursuance thereof, Sub-Inspector of Police, Banka Police Station, submitted a report (Annexure-2), from which it would be evident that there was exchange of hot words between the complainant and co-accused Moni Kumari in front of the Banka Police Station and the Banka Police called both the parties in the police station for counselling and after counselling they were asked to go back. In the said report, it has further been explained that the petitioner



did not misbehave with the complainant in the police station.

4. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation and the report of the Banka Police (Annexure-2), I am inclined to grant the petitioner privilege of anticipatory bail.

5. This application is, accordingly, allowed.

6. Let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bankat, Banka in connection with Complaint Case No. 1199 of 2023.

(Anil Kumar Sinha, J.)

Jyoti Kumari/-

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