

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67969 of 2024

Arising Out of PS. Case No.-298 Year-2023 Thana- KASBA District- Purnia

1. Narayan Mandal S/O Late Kashi Mandal Resident of Village- Damdama P.S- Kasba,District- Purnea
2. Premila Devi @ Parmila Devi Wife of Narayan Mandal Resident of Village- Damdama P.S- Kasba,District- Purnea
3. Bhulan Devi Wife of Doman Mandal Resident of Village- Damdama P.S- Kasba,District- Purnea
4. Nepal Mandal S/o Late Kashi Mandal Resident of Village- Damdama P.S- Kasba,District- Purnea
5. Kaleshwar Mandal S/o Nepal Mandal Resident of Village- Damdama P.S- Kasba,District- Purnea
6. Haradhan Mandal S/o Nepal Mandal Resident of Village- Damdama P.S- Kasba,District- Purnea
7. Akhilesh Mandal S/o Bhola Mandal Resident of Village- Damdama P.S- Kasba,District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 24-10-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Kasba PS case no. 298 of 2023, disclosing offences punishable under Sections 143, 341, 323, 307, 504,



506 of the Indian Penal Code.

3. The prosecution story, as per the First Information Report, is that co-accused Doman Mandal had taken Rs. 20,000/- as loan from the informant and despite the demand made by the informant to refund his money, said Doman Mandal did not return the same and on 05.08.2023 in the morning, when the son of the informant namely Gautam Mandal demanded the money back, co-accused Doman Mandal again refused to return the loan amount. It is alleged that the petitioner and other accused persons assaulted the son of the informant on the order given by petitioner no. 1; Narayan Mandal. Co-accused Doman Mandal assaulted informant's son Gautam Mandal by giving a punch in his stomach, due to which, he was admitted in the private hospital.

4. Learned Counsel for the petitioners submits that the occurrence has taken place due to money dispute between the parties. Learned counsel further submits that the allegation against the petitioners is general and omnibus in nature of assaulting the son of informant on the order of petitioner no. 1. He next submits that there is specific allegation against co-accused Doman Mandal, who is not the petitioner herein.



Petitioners' no. 2 and 3 are ladies. Learned counsel also submits that there is delay of 18 days in filing F.I.R., inasmuch as the occurrence has taken place on 05.08.2023 but the F.I.R. has been lodged on 23.08.2023. Lastly, he submits that informant's son was being treated in the private hospital for fistula, which is evident from medical documents.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that occurrence has taken place due to money transaction and there is specific allegation of assault against co-accused Doman Mandal, who is not petitioner herein as also the fact that petitioners no. 2 and 3 are ladies, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Kasba PS case no. 298 of 2023, subject to



the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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