

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69889 of 2024

Arising Out of PS. Case No.-425 Year-2023 Thana- BANKA District- Banka

Kailash Mandal Son of Late Devna Mandal Resident of Village - Balarpur,
P.S. - Banka, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 448, 341, 323, 354, 354B and 379 of the Indian Penal Code.

3. The petitioner is said to have tried to sexually assault the informant and in failure to do so he assaulted on her head and also gave threatening to kill if she will lodge the case.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty village politics. It is further submitted that the petitioner and informant are close door neighbours and there is a dispute between them over the passage of Gali where both the parties are claiming their right



and to put pressure upon the petitioner, this false and fabricated case has been lodged against him. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case as well as the fact that petitioner is aged about 64 years and *inter se* land dispute, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Banka P.S. Case No. 425 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Trivedi/-

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

