

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79639 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- GOPALPUR District- Bhagalpur

1. Shankar Mandal Son of Banarasi Mandal village- Abhiya, ps- Gopalpur, dist- Bhagalpur
2. Amit Mandal @ Amit kumar son of Shankar Mandal village- Abhiya, ps- Gopalpur, dist- Bhagalpur
3. Pankaj Mandal son of Late Jamadar Mandal village- Abhiya, ps- Gopalpur, dist- Bhagalpur
4. Nage Mandal @ Nageshwar Mandal son of Late Jamadar Mandal village- Abhiya, ps- Gopalpur, dist- Bhagalpur
5. Kanhiya Mandal @ Karan Kumar @ Kanhiya son of Jair Prakash Mandal village- Abhiya, ps- Gopalpur, dist- Bhagalpur
6. Ghanshyam Madal @ Ghanshyam Mandal son of Late Sitaram Mandal village- Abhiya, ps- Gopalpur, dist- Bhagalpur
7. Sharvan Mandal @ Shrawan Kumar Son of Shankar Mandal village- Abhiya, ps- Gopalpur, dist- Bhagalpur
8. Barun Mandal @ Varun Kumar son of Jai Prakash Mandal village- Abhiya, ps- Gopalpur, dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-11-2024 Heard learned counsel for the petitioners and Mr. Shantanu Kumar, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Gopalpur P.S. Case No. 124 of 2024 instituted for the offence under Sections 147, 149, 341, 323, 354(B), 325, 447, 504



and 506 of the Indian Penal Code.

3. The case of the prosecution is that petitioners along with other co-accused persons being armed with *lathi*, *danda* and *khanti* and started assaulting the informant. It is further alleged that in the said incident, the informant and her uncle Rakesh Kumar received injuries.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It has further been argued by learned counsel for the petitioners that the allegation of nature is general and omnibus. There is no specific allegation against the petitioners. There is also a counter version of this case. From perusal of the order of the trial Court, it is clear that the nature of injury is simple. Petitioners are having clean antecedent.

5. Learned APP for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Gopalpur P.S. Case No. 124 of 2024, they will be



enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st Naugachia, Bhagalpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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