

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86540 of 2023

Arising Out of PS. Case No.-270 Year-2020 Thana- TRIVENIGANJ District- Supaul

SURESH MANDAL S/O TETAR MANDAL R/O VILLAGE-
BARAHKURWA, P.S- TRIVENIGANJ, DISTT.- SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Pratibha Srivastava, Advocate
		Ms. Mukul Kumari, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-01-2024 Heard Ms. Mukul Kumari learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Triveniganj P.S. Case No. 270 of 2020 for the offence under sections 143, 149, 447, 341, 323, 504, 509, 354(A), 379 and 308 of the I.P.C. lodged on 12.09.2020 by the informant, Kavita Devi.

3. As per the prosecution story, the allegation is that the accused persons including the petitioner herein armed variously came and dragged the informant, whereafter it is alleged that this petitioner assaulted on her head causing injury. The further allegation is of snatching nose pin, silver chain as



also assaulting Vijendra Yadav with other accused persons.
Accordingly, the FIR.

4. Learned counsel for the petitioner submits that there has been delay of four days in lodging of the FIR and further the injury on the informant has found to be simple in nature. Further, submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer stating that allegation is of assaulting the informant on her head.

6. Taking into account the fact put forwards by the parties as also that the injury has been found to be simple in nature, he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 5000/- as undertaken by the learned counsel for the petitioner.

7. Let the petitioner be released on bail in the event of



arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-I, Supaul, in connection with Triveniganj P.S. Case No. 270 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the anticipatory
bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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