

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.259 of 2024**

Arising Out of PS. Case No.-242 Year-2022 Thana- SIKTI District- Araria

1. Arvind Mandal, aged about 39 years (M), s/o Gajanand Sardar, R/O Vill.- Benga, Ward No.-07, P.S.- Bardaha, Dist.- Araria.
2. Gajanand Sardar @ Gayanand Sardar Gajanand Mandal, aged about 56 years (M), S/o Late Anup Lal Sardar, R/O Vill.- Benga, Ward No.-07, P.S.- Bardaha, Dist.- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                     |   |                                 |
|---------------------|---|---------------------------------|
| For the Petitioners | : | Mr. Mukesh Kumar Rana, Advocate |
| For the State       | : | Mr. Rajendra Nath Jha, A.P.P.   |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      05-02-2024                      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sikty (Bardaha) P.S. Case No. 242 of 2022 dated 10.09.2022 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 448, 307, 354B, 379, 504 and 506 of the I.P.C.

3. As per the prosecution case, the petitioners and the other co-accused persons are alleged to have entered the Aangan of the informant and started abusing her husband. The petitioner no. 2 caught hold of her hair and thrashed her on the ground. The petitioner no. 1 assaulted her with a Dabiya causing head



injury. All the accused persons tore her saree and took her silver jewellery. When her son, Ajeet Kumar Mandal, came for his rescue, all the accused persons assaulted him with lathi-danda.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. It is submitted that the occurrence took place on 08.09.2022 as to when the F.I.R. was lodged on 10.09.2022 after a lapse of two days for which no explanation has been given by the prosecution. It is further submitted that the petitioner no. 1 assaulted the informant by Dabiya on the informant's head and the injury is lacerated wound but the doctor has found the injury simple in nature caused by hard and blunt substance. There is general and omnibus allegation that all the accused persons assaulted the informant's son Ajeet Kumar Mandal by lathi on his right leg and the injury is found to be simple. It is further submitted that the petitioner no. 1 is the step son and the petitioner no. 2 is the husband of the informant. The petitioners have one criminal antecedent in which they are on bail as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances



of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Araria in connection with Sikty (Bardaha) P.S. Case No. 242 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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