

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4096 of 2024

Arising Out of PS. Case No.-356 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

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Anuj Kumar Mandal @ Anuj Mandal @ Anoj Mandal S/o Satya Narayan
Mandal R/o vill-Mohammadpur, P.S-Sadar, Distt.-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-02-2024 Heard Mr. Nawal Kishore Prasad, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Sadar (Sonki O.P.) P.S. Case No. 356 of 2023, registered
for the offences punishable under Sections 341, 323, 307, 379,
504, 506 and 34 of the Indian Penal Code.

3. It is alleged that on 24.05.2023 while the informant
was carrying bricks through tractor for construction of building,
the accused persons came there and abused and assaulted
however, on account of intervention made by the local people
they fled away from that place. It has further been alleged in the
next morning on 25.05.2023 all the FIR named accused persons,



armed with iron pipe, barged into his house and started assaulting the family members. It is specifically alleged that the petitioner had assaulted his son Ajay Mandal, due to which he fell down on the ground and thereupon co-accused Satyanarayan Mandal has assaulted his son by lathi on his head, due to which he sustained serious injury and taken to hospital.

4. Learned counsel appearing on behalf of the petitioner submits that from the narratives of the FIR it is evident that the serious injury caused over the head of the son of the informant is attributed to Satyanarayan Mandal and so far the petitioner is concerned, an omnibus allegation has been leveled that he assaulted the son of the informant, due to which he fell down. He next submits that in fact on a quarrel which took place on 24.05.2023, a free fight has taken place between the persons of both the sides, due to which some of the persons have sustained injuries. He next submitted that the petitioner is a man of fair antecedent and undertakes before this Court that he would not indulge in such type of activities and would cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that specific allegation has been leveled against the petitioner of assault.



6. Regard being had to the submissions made on behalf of the parties and considering the fact that specific allegation has been leveled against co-accused Satyanarayan Mandal, due to which the injured has sustained grievous injury coupled with the dispute between the parties and the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Sadar (Sonki O.P) P.S. Case No. 356 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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