

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 9141 of 2024

Arising Out of PS. Case No.-188 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

Gopal Mandal @ Gopal Kumar son of Yogendra Mandal Village- Biriranpal
Ps- Udakishunganj Dist- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-02-2024 Heard Mr. Alok Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Shyameshwar
Dayal, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Udakishunganj P.S. Case No.188 of 2023 registered under
Sections 341, 323, 307, 386, 506, 504/34 of the Indian Penal
Code.

3. As per the allegation made in the FIR, the accused
persons along with 5-6 unknown persons armed with weapon
demanded ransom and when the informant denied then they all
abused and assaulted him with iron-rod, causing fracture on the
left hand of the informant.

4. Learned counsel appearing on behalf of the

petitioner submits that specific allegation against the petitioner is that he along with other persons had assaulted the informant by means of *iron-rod* and *lathi* as a result of which he sustained injuries on his head and left hand. He further submits that there is a case lodged by the petitioner's side prior to the present FIR on the same date i.e. 13.06.2023 on similar allegation. The petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submission made on behalf of the parties, as well as, the facts that case and counter case have been filed by the parties and in course of the same, the petitioner may have caused some injuries on the body of the informant, in his self-defense and the petitioner has lodged case against the informant on the same day before lodging of the present FIR, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of

learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Udakishunganj P.S. Case No.188 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

Ashishsingh/-

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