

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24645 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- LAUKAHI District- Madhubani

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1. Ashok Mandal S/o Rajendra Mandal R/o Village- Dangraha, P.S.- Laukahi, District- Madhubani
 2. Pramod Mandal S/o Rajendra Mandal R/o Village- Dangraha, P.S.- Laukahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman
For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-05-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Laukahi P.S. Case No. 63 of 2024, registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. Based upon the written report, the prosecution alleges that on account of land dispute, earlier a *panchayati* was held and pursuant thereto demarcation was done. While the informant was engaged in the construction of her house, in the meantime, all the FIR named accused persons, including the petitioners, armed with weapons came there and started abusing and assaulting. It is specifically alleged that both the petitioners



assaulted the informant and her husband by means of *khanti* due to which they sustained serious injuries over their head.

4. Learned Advocate for the petitioners contended that in fact on the alleged date of occurrence, on account of a land dispute, both the parties entered into a free-fight resulting into injuries to persons of both the sides. The present case is nothing but a counter blast to Laukahi P.S. Case No. 59 of 2024, which is earlier on time. The alleged occurrence took place on 20.03.2024 but the present FIR has been instituted on 22.03.2024, i.e., after a delay of two days, which also creates doubt and the delay has not been explained. So far the injury sustained to two persons are concerned, one of which is found to be simple in nature and with respect to another, opinion is kept reserved. It is next contended that now good sense prevailed to the parties and they have comprised the matter and there shall be every chances that the land dispute shall also be settled. The petitioners bear fair antecedent and they undertake before this Court that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the specific allegation of causing assault has been levelled against



the petitioners leading to serious injuries.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of case and counter case, coupled with the genesis of the occurrence which is nothing but a land dispute as also the nature of injuries and the fact that both the parties have amicably settled their dispute and the petitioners bear fair antecedent, let the petitioners abovenamed be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned ACJM 1st Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No. 63 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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