

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85422 of 2024

Arising Out of PS. Case No.-305 Year-2022 Thana- SABAUR District- Bhagalpur

1. Upendra Mandal S/O Late Ishwar Mandal Resident of Village- Simro, P.S.- Sabour, District- Bhagalpur
2. Jyotish Kumar S/O Upendra Mandal Resident of Village- Simro, P.S.- Sabour, District- Bhagalpur
3. Sharmila Devi W/O Upendra Mandal Resident of Village- Simro, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ankit Raj, Advocate
For the State	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-01-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 325, 307, 504, 379, 147, 148 and 149 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 26.07.2022 at 4 pm, while the informant was at home, in the meantime, all the accused persons named in the F.I.R., including these petitioners, equipped with weapons, came and started abusing. It is further alleged that Petitioner No. 2 assaulted on head of informant by means of *Gadasa* and when her brother came to save her, Petitioner No. 1 assaulted on his head by means of



Gadasa. Petitioner No. 3 is alleged to have snatched gold chain from neck of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have committed no offence. As a matter of fact, on suspicion that one of the co-accused person has stolen the mobile of informant, a quarrel took place in which both sides sustained injuries. There is case and counter-case between the parties and case lodged by the petitioners' side is earlier in point of time. Doctor has found the injuries allegedly caused by Petitioner Nos. 1 and 2 to be simple in nature. Rest of the allegations are ornamental in order to make the case grievous. Petitioners claim clean antecedents.

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

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Sabour P.S. Case No. 305 of 2022, subject to condition as laid down under Section 482 of the B.N.S.S..

(Prabhat Kumar Singh, J)

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