

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88268 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- SANGRAMPUR District- Munger

1. Mandip Paswan @ Mandip Kumar
2. Sandip Kumar
Both are S/o Late Sujit Paswan R/Vill Dadrijala, PS- Sangrampur, Dist-
Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2025 After some arguments, learned counsel for the petitioners seeks permission to withdraw this application with respect to petitioner No.1, namely, Mandip Paswan @ Mandip Kumar with liberty to the petitioner to surrender before the learned court below within a period of four weeks from today and seek regular bail.

2. Permission is accorded.

3. The application is dismissed as withdrawn with respect to petitioner No.1, namely, Mandip Paswan @ Mandip Kumar with the liberty that the petitioner surrenders and seeks regular bail before the learned court below, the same shall be considered on the same day on its own merit in accordance with



law and without being prejudiced by any observation in the present order.

4. Heard Mr.Rajive Ranjan Singh, learned counsel for petitioner No.2, namely, Sandip Kumar and Mr.Mithlesh Kumar Khare, learned APP for the State.

5. The petitioner is apprehending his arrest in connection with Sangrampur P.S.Case No.144 of 2024, FIR dated 15.07.2024 registered for the offences punishable under Sections 341,323,307,504,506 and 34 of IPC.

6. The informant has alleged that on 19.06.2024 at 8.00 P.M. all the accused persons abused him and on objection, accused Shakuntala Devi brought iron rod from her house and gave it to her elder son Mandip Paswan and told her to kill him and accused Sandip Paswan caught his both hands and Mandip Paswan assaulted with iron rod on his nose due to which he suffered injuries on his nose. He was taken to Sangrampur Government hospital from where he was referred to Bhagalpur for better treatment.

7. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any



assault or overt-act attributed against the petitioner, namely, Sandip Kumar rather there is allegation of assault attributed against co-accused person, namely, Mandip Paswan @ Mandip Kumar and the similar person has received the injury which suggests that the injury is grievous in nature.

8. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner, namely, Sandip Kumar, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger in connection with Sangrampur P.S. Case No.144 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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