

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10140 of 2015

Arising Out of PS.Case No. -50 Year- 2014 Thana -PASRAHA District- KHAGARIA

- =====
1. Parmanand Jaiswal Son of Late Jageshwar Bhagat Resident of Village Bharat Khand Deori, P.S. Bharat Khand (Parbatta), District Khagaria.
 2. Dinesh Mandal Son of Late Sonu Mandal
 3. Chakradhar Mandal Son of Late Lakshman Mandal
 4. Pappu Mandal Son of Suresh Mandal All of the three petitioners are resident of Village Dudhaila, P.S. Pasraha District Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.P.P.)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

3 27-05-2015

Heard counsel for the petitioners and Mr. Das

learned Spl. P.P. for the State.

The four petitioners herein who have been cited as accuseds along with two others in the FIR vide Pasraha P.S. Case No. 50 of 2014 registered under sections 307 and 436 IPC and section 3(1) (X) of the SC/ST Act, have prayed for grant of anticipatory bail. According to the prosecution case, at the relevant time, the petitioners went to the house of the informant variously armed and caught him. The petitioners Parmanand Jaiswal and Chakradhar Mandal put a rope around the neck of the informant and starting pulling

it. They also abused the informant by his caste name. The other accused persons are alleged to have ransacked and set afire the house of the informant. The petitioner Parmanand Jaiswal is also alleged to have assaulted Sulaina Devi. Thereafter the petitioner Chakradhar Mandal opened fire.

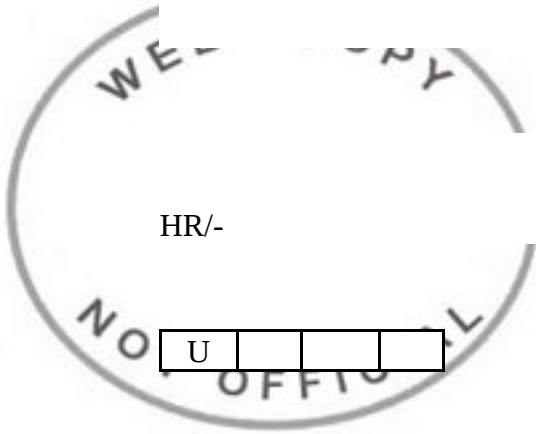
The contention of the petitioners is that owing to land disputes germinating several proceeding, the present case has been lodged with concocted allegations. It is also submitted that no substantial injury has been sustained by anyone in the occurrence.

Learned Spl. P.P., looking to the case diary and the impugned order, submitted that the allegation has found support in course of investigation. The learned Sessions Judge has referred to several paragraphs of the case diary in this regard.

Considering the allegations contained in the FIR as also the fact that there is allegation against the petitioners, I am not inclined to privilege the petitioners with anticipatory bail.

Let the petitioners surrender and seek regular bail in the court below. In that event, the court below shall consider and dispose of the bail application of the

petitioners on its own merit unprejudiced by the present order.



(Kishore Kumar Mandal, J)