

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18669 of 2015

Arising Out of PS.Case No. -70 Year- 2014 Thana -MIRGANJ District- PURNIA

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1. Domi Mandal son of late Kailu Mandal
 2. Mannu Mandal @ Manu Kr. @ Khanna son of late Anmol Mandal
 3. Binay Kr. Mandal @ Bijay Mandal son of Siya Saran Mandal
 4. Pramod Mandal son of late Jagdish Mandal
 5. Kundan mandal son of Mahendra Mandal
 6. Awadhesh Mandal son of Jagdesh Mandal all resident of village Baghwa P.S. Mirgunj District Purnia.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vikram Singh

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 16-06-2015

Heard learned counsel for the parties.

Learned counsel for the petitioners at the outset submits that petitioner no.1 has already been arrested.

That being so, the prayer for anticipatory bail of petitioner no.1 has become infructuous and is accordingly rejected.

Having regard to the nature of allegation for offence under section 307 and other allied offences of the Indian Penal Code against the petitioners and the fact that there is also a counter version of the same occurrence in which also the number of persons have sustained injuries, this Court by taking into account that not only there is omnibus and vague allegation against petitioners no. 2 to 6 of indulging into assault with more than ten

other persons and also keeping in view that the petitioners also have got no criminal antecedent would be inclined to grant privilege of anticipatory bail to petitioners no. 2 to 6.

That being so, if petitioners no. 2 to 6, namely, Mannu Mandal @ Manu Kumar @ Khanna, Bijay Kumar Mandal @ Bijay Mandal, Pramod Mandal, Kundan Mandal and Awadhesh Mandal, surrender before the court below within a period of four weeks from today, they shall be released 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 the A.C.J.M., Purnia in Mirgunj P.S.Case No. 70/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of petitioners no.2 to 6 who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of petitioners no.2 to 6.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if petitioners no. 2 to 6 are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation

of bail on the ground of misuse.

(iii) That petitioners no. 2 to 6 will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) That petitioners no. 2 to 6 will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

surendra/-

(Mihir Kumar Jha, J)

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