

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33926 of 2015

Arising Out of PS.Case No. -78 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

- =====
1. Rajendra Mandal, son of Late Darbari Mandal,
 2. Raj Kishore Mandal, son of Lakshmi Mandal,
 3. Gopal Mandal, son of Janardhan Mandal,
 4. Dhananjay Mandal, son of Late Bhola Mandal,
 5. Anil Mandal, son of Baleshwar Mandal,
 6. Tinku Mandal, son of Rameshwar Mandal,
 7. Vipin Mandal @ Vinit Manadal @ Vinit Kumar, son of Btेश्वर Mandal,
 8. Kaushal Kumar @ Pintu Mandal, son of Sankar Mandal,
 9. Shrikant Mandal, son of Late Baiznath Mandal,
 10. Nakul Mandal, son of Late Gurudayal Mandal, null
 11. Mahendra Mandal, son of Late Bhagwan Mandal,
 12. Ganesh Mandal, son of Late Gurudayal Mandal.
 13. Ranjit Mandal @ Ravit Mandal, son of Late Mahesh Mandal,
 14. Rajvalli Mandal, son of Late Arjun Mandal,
 15. Ravindra Mandal, son of Late Jicchhu Mandal,
 16. Saurav Kumar, son of Fulchandra Mandal,
 17. Amarjeet Mandal @ Amarnath Mandal, son of Jageshwar Mandal,
 18. Fulchand Mandal, son of Late Baldev Mandal, All are resident of Olpura Nayatola, P.S.- Kahalgaon/Ghogha, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-08-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 332, 333, 307, 504, 353 and 153A of the Indian Penal Code.

The prosecution case is that the accused persons were constructing temple on the land of Md. Gufran when the A.S.P and D.C.L.R along with police force reached on the spot when the mob pelted stones and made assault to the police force.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general and petitioners have been named only on the basis of their names being conveyed by the local Chaukidar. The accusation is omnibus and general and there is nothing on record to suggest that any substantial injury was caused to anyone.

Considering the aforesaid facts, let the above named petitioners except petitioner nos. 5, 8 and 17 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Bhagalpur in connection with Kahalgaon (Ghogha) P.S. Case No. 78 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

So far as petitioner nos. 5, 8 and 17 are concerned, since they are accused in a case under Section 302 IPC this Court is not inclined to grant anticipatory bail to them.

Let the learned court below consider the prayer for regular bail to petitioner nos. 5, 8 and 17 if they surrender within a period of six weeks keeping in view that on merit they have a case for consideration of prayer for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--