

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42349 of 2014

Arising Out of PS.Case No. -246 Year- 2013 Thana -JHAJHA District- JAMUI

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1. Ghanshyam Mandal, son of Late Huro Mandal,
 2. Dhaneshwar Mandal, son of Late Huro Mandal,
 3. Shankar Mandal, son of Sri Dhanu Mandal,
 4. Bhim Mandal, son of Sri Masudan Mandal,
 5. Surendra Mandal, son of Sri Shankar Mandal,
 6. Gokhul Mandal, son of Late Jhagru Mandal,
- All resident of Village-Khuriparas, Police Station-Jhajha, District-Jamui.
7. Sunil Mandal, son of Sri Ritlal Mandal, resident of Village-Akdara, Police Station-Jhajha, District-Jamui Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor duly assisted by learned counsel for the informant.

The petitioners are apprehending their arrest in connection with Jhajha P.S. Case No. 246/2013, dated 18.12.2013

instituted under Sections 147, 148, 149, 307, 324 and 504 of the Indian Penal Code.

Allegedly, the petitioners and other F.I.R. named accused persons came at the house of the informant, who started abusing and when protest was made, co-accused assaulted with tangi on the head of the informant and co-accused Mahendra Mandal assaulted with iron rod and when the father came for rescue, he was also assaulted by the petitioners, Bhim Mandal and Sunil Mandal with lathies on his head and when the brother Nandkishore Mandal came for rescue, he was assaulted by co-accused, Nunu Ram Mandal with rod and the petitioners Dhaneshwar Mandal and Ghanshyam Mandal assaulted with lathies and when the nephew Kundan and Sudama came for rescue, he was assaulted by co-accused Ritlal Mandal by Spear and the petitioners Surendra Mandal and Gokhul Mandal assaulted with Lathi and the mother Munakwa Devi was assaulted by petitioner Shankar Mandal with Lathi on her right hand.

Submission is that due to land dispute there was altercation between the parties. The allegation against the petitioners is for assaulting with Lathi and the injured have received simple injury, save and except, the injury of Munakwa Devi, which is on the hand has not been found grievous in nature

and as such the petitioners deserve sympathetic consideration, to which learned Additional Public Prosecutor opposes the prayer of pre-arrest bail.

Considering the allegation attributed against the petitioners and further consideration of the injury reports of the petitioners, in case of arrest or surrender within two months from the date of production/receipt of a copy of this order, the petitioners, above-named, are directed to be released on bail on furnishing bail bonds of Rs. 10,000- (Ten thousand) each with two sureties like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 246/2013, subject to the conditions as laid down under section 438 (2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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