

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39828 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -BHAWANIPUR District- PURNIA

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1. Bhagirath Mandal @ Ohli Mandal, Son of Late Mahavir Mandal.
 2. Raj Kishore Mandal Son of Late Ganauri Mandal.
 3. Amit Mandal.
 4. Binod Mandal @ Vinod Mandal Petitioner No. 3 and 4 are sons of Bhagirath Mandal @ Onli Mandal, All resident of Village- Bhittha, P.S.- Bhawanipur (Akbarpur), District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. N. N. Tiwari(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2015 Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no. 4 (Binod Mandal)

Accordingly, this application stands dismissed as against petitioner no. 4.

Heard learned counsel for the petitioners no. 1 to 3 and the State.

The petitioners no. 1 to 3 are apprehending their arrest in a case instituted under Sections 341, 323, 379, 380, 427, 452, 504 and 506/34 of the Indian Penal Code.

Allegation against the petitioners is that they have assaulted the informant and also took away Rs.15, 000/-, household articles and ornaments from her house.

It has been submitted on behalf of the petitioners that they have no criminal antecedent. There is general and omnibus

allegation against the petitioners. There is admitted land dispute between the parties. A dispute in respect of land is already pending in the court of Collector which is apparent from para-8 of the petition. As far as offence under SC and ST Act is concerned, the same is not made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners no. 1 to 3, in the event of arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of Sri Mithilesh Kumar, learned Judicial Magistrate, Ist Class, Purnea, in connection with Bhawanipur (Akbarpur) P.S. Case no. 85 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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