

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 50860 of 2015

Arising Out of PS.Case No. -181 Year- 2015 Thana -NARPATGANJ District- ARARIA

- =====
1. Meera Devi wife of Ram Sewak Mandal.
 2. Roushan Kumar @ Roushan Kuman Mandal Son of Ram Sewak Mandal.
 3. Rahul Kumar Son of Ram Sewak Mandal.
 4. Bittu Kumar Son of Laxman Mandal.
 5. Rani Devi wife of Laxman Mandal.

All the above are residents of Village- Sakin Gorraha, Bishanpur P.S.
Narpatganj, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 10-11-2015 Heard learned counsel for the petitioners,

learned A.P.P. for the State and learned counsel for the

informant, who has suo motu appeared.

The petitioners apprehend arrest in Narpatganj

P.S. Case No. 181 of 2015 dated 16.05.2015 instituted under

Sections 341/323/324/307/379/504/506/34 of the Indian

Penal Code.

The allegation against the petitioners are of

general and omnibus of being armed with various weapons

and of assault and the specific against petitioner no. 2 of

snatching silver chain from the informant.

Learned counsel for the petitioners submits

that the allegation is false and frivolous and the incident

occurred with regard to dispute relating to passage for which there is also a counter case and injury on both sides. It is further submitted that against Ram Sewak Mandal, a co-accused who is not the petitioner in the present case, there is specific allegation of assault by '*Farsa*' on the head of the two sons of the informant. It is submitted that the petitioners have clean antecedent.

Learned A.P.P. and learned counsel for the informant oppose the prayer for anticipatory bail. They submit that the petitioners were also part of the assault and thus they cannot be said to be innocent. However, they are not in a position to controvert the fact that there is general and omnibus allegation against the petitioners and the specific being against Ram Sewak Mandal, who is not the petitioner in the present application and against Raushan Kumar it is only that of snatching silver chain from the neck of the informant.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in Narpatganj P.S. Case No.181 of 2015, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973. The

petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. Any violation of the terms and conditions of the bonds shall also lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J.)

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