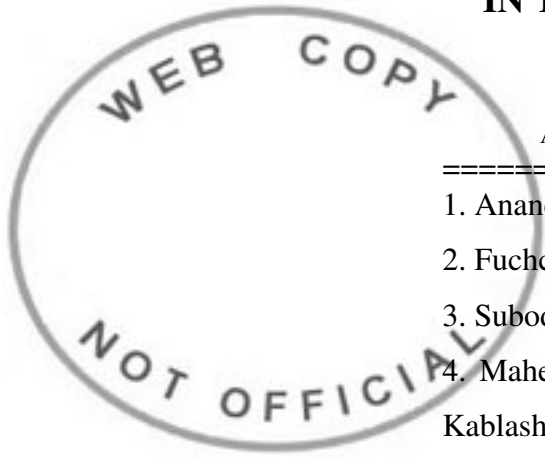




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56902 of 2015

Arising Out of PS.Case No. -244 Year- 2015 Thana -FALKA District- KATIHAR

- =====
1. Anandi Mandal son of Late Narayan Mandal
 2. Fuchchni Mandal @ Fuchani Mandal
 3. Subodh Mandal @ Subodh Kumar Both sons of Anandi Mandal
 4. Mahendra Mandal son of Rameshwar Mandal All residents of village- Kablashia Mandir Tola, P.S.- Falka, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-12-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 of the Indian Penal Code.

The prosecution case is that the accused persons were constructed house on the land of the informant. On protest being made, the accused persons assaulted with



farsha on the head of the father of the informant, causing bleeding injury. Co-accused Mangal Mandal snatched mobile and cash Rs. 5,000/- from the father of the informant.

It is submitted by the learned counsel for the petitioners that there is counter version of the occurrence. The petitioners' side have also received injury. The First Information Report does not suggest, who actually assaulted the father of the informant with farsha. The father of the informant received three injuries, out of them one has been found grievous and all the three injuries have been caused by hard and blunt substance, whereas accusation of assault is with farsha. It is further submitted that in the background of land dispute accusation has been levelled. Title Suit No. 198 of 2008 is pending between the parties. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Falka P.S. Case No. 244

of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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