

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30262 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -TIKAPATTI District- PURNIA

- =====
1. Rabin Mandal Son of Kripali Mandal
 2. Akhilesh Mandal@Aklesh Mandal son of Kripali Mandal
 3. **Prabhash Mandal, son of Late Kritlal Mandal**
 4. Sokha Devi wife of Kripali Mandal
 5. Kunni Devi D/o Kripali Mandal
 6. Nibha Devi wife of Akhilesh Mandal

All are resident of Village- Dumari, P.S.- Tikapatti, 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. M.K.Nirala(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 06-10-2015 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

Learned counsel for the petitioners submits that during the pendency of this application, Petitioner No.1 Rabin Mandal and Petitioner No.2 Akhilesh Mandal @ Aklesh Mandal have been taken into custody and, therefore, this application as against them has become infructuous. It is, accordingly, dismissed as withdrawn.

So far as Petitioner No.3, namely, Prabhash Mandal, is concerned, case diary had been called for earlier with regard to consideration of the prayer for anticipatory bail, which has since been received.

Learned counsel for the petitioners submits that there

is no specific allegation against Petitioner No.3 Prabhash Mandal.

Learned counsel for the State after perusal of the case diary submits that there is allegation against three persons of having assaulted the deceased, though the injury was found to be simple. Said Prabhash Mandal is not among the three persons.

Considering the aforementioned facts and circumstances and that the petitioner has no criminal antecedents, let Petitioner No.3, namely, Prabhash Mandal, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnia, in connection with Tikapatti P.S. Case No.41 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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