

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43293 of 2015

Arising Out of PS.Case No. -82 Year- 2015 Thana -MURLIGANJ District- MADHEPURA

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1. Pappu Mandal.
 2. Subhash Mandal.
 3. Rajendra Mandal.
 4. Nago Mandal @ Gange Mandal.
 5. Rajeshwar Mandal
 6. Jai Krishna Mandal.
 7. Bouku Mandal All Son of Anandi Mandal
 8. Sushil Mandal.
 9. Binod Mandal. Both Sons of Nago Mandal @ Gange Mandal. All Resident of village: Pratap Nagar, Police Station: Murliganj, District-Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

2 02-11-2015 Learned counsel for the petitioners submits that petitioner No.1, Pappu Mandal, during the pendency of the anticipatory bail application, has been arrested and, accordingly, he seeks permission to withdraw the application so far as petitioner No.1 is concerned with liberty to file a bail application before the court below.

The application is, accordingly, dismissed as withdrawn with respect to petitioner No.1, Pappu Mandal, with the liberty sought.

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

The petitioners pray for anticipatory bail in a case registered under Sections 341, 323, 448, 379, 354 (A), 506 and 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that there is a case and counter case and it is the original petitioner No.1. Pappu Mandal, who was brutally assaulted and had received serious injuries and was referred to Murliganj Primary Health Centre for treatment and since the police did not register the case, a complaint case, being Complaint Case No.C-340/2015, was filed by the original petitioner No.1. Pappu Mandal in the Court of the Chief Judicial Magistrate, Madhepura under Sections 323,341,324,325,379,504 and 506 of the Indian Penal Code against the informant and her men. It is further submitted that the allegation is only of assault on the back and waist of the informant but no visible or internal injury was received by the informant or her nephew and there is no injury report on the record. It is also submitted that the petitioners have no criminal antecedents.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners (1) Subhash Mandal, (2) Rajendra Mandal, (3) Nago Mandal alias Gange Mandal, (4) Rajeshwar Mandal, (5) Krishna Mandal, (6) Bouku Mandal, (7) Sushil Mandal and (8) Binod Mandal, in the event of their

arrest/surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura in connection with Murliganj P.S. Case No.82 of 2015, subject to the other conditions as laid down under Section 438 (2) of the Cr.P.C.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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