

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47083 of 2015

Arising Out of PS.Case No. -109 Year- 2015 Thana -FALKA District- KATIHAR

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1. Bimli Devi W/o Bangatu Mandal
2. Suraj Manadal @ Sujesh Mandal @ Sujesh Kumar S/o Bangatu Mandal
3. Guddu Mandal S/o Bangatu Mandal
4. Rupesh Mandal S/o Bagatu Mandal
5. Sukhraj Mandal @ Pulice Mandal All are Resident of village- Chakala
Mola Nagar, P.s.- Falka (Pothia), District- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 16-10-2015

Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Falka P.S. Case No. 109 of 2015 registered under Sections 147, 341, 323, 324, 307, 379 and 448 of the I.P.C.

The accusation is that petitioners along with Banku Mandal armed lathi and axe entered in the house of the informant Kamla Devi and caused injury to the informant and her husband, when Rupa Devi, daughter of the informant rushed to save them then he was also assaulted by petitioner, Suraj Mandal through axe on her head.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that there is general allegation against the petitioners to cause injury to informant and her husband. The injury found on the person of the

informant is simple in nature by hard and blunt substance. Only specific allegation is against the petitioner Suraj Mandal to cause injury to Rupa Devi through axe.

Having considered the facts and the circumstances of the case, let the petitioners no. 1 and 3 to 5, above named, in the event of their arrest or surrender within six weeks, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Katihar in connection with Falka P.S. Case No. 109 of 2015, subject to the conditions laid down under Section 438(2) Cr. P.C.

Taking into consideration the allegation against the petitioner no.2 to cause injury through axe, I am not inclined to allow his prayer for anticipatory bail. Accordingly, prayer of petitioner no.2, Suraj Mandal @ Sujesh Mandal, for anticipatory bail is rejected.

However, petitioner no.2 Suraj Mandal @ Sujesh Mandal is directed to surrender before the Court below within six weeks and his prayer for bail will be considered by the trial Court without being prejudiced by this order.

(Rajendra Kumar Mishra, J.)

Shail/-

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