

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51116 of 2015

Arising Out of PS.Case No. -165 Year- 2015 Thana -AJAMNAGAR District- KATIHAR

- =====
1. Gurudev Mandal Son of Late Laxman Mandal
 2. Kutiya Devi Wife of Gurudev Mandal
 3. Uttam Mandal Son of Gurudev Mandal
 4. Chanu Mandal
 5. Kalu Mandal
 6. Lalu Mandal

Petitioner No.4 to 6 are son of Sakru Mandal

7. Suraj Mandal Son of Late Gulay Mandal
8. Bablu Mandal Son of Late Yamuna Mandal

All are resident of village- Basantpur, P.S. Ajam Nagar, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. L.K. Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 09-11-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

The prosecution case is that the sister of the informant, namely, Lakhi Devi was married with Santosh Mandal, son of the petitioner no. 1 Gurudev Mnadal, but due to

torture inflicted upon the sister of the informant by the accused persons, the informant along with others went to the house of petitioner no. 1 to pacify the matter but the accused persons including the petitioners abused and assaulted the informant and others when petitioner nos. 4 to 6 made assault to the informant, her brother and nephew.

It is submitted by learned counsel for the petitioners that petitioner nos. 4 to 8 are co-villagers of petitioner nos. 1 to 3 who are parents and brother of the husband of the sister of the informant and in the background of matrimonial dispute the accusation has been levelled. There is no specific accusation against petitioner nos. 1 to 3 and 7 to 8. Moreover, the injury has been found to be simple in nature.

Considering the specific accusation of assault by petitioner nos. 4 to 6, let the learned court below consider the prayer for regular bail of petitioner nos. 4 to 6, if they surrender before the learned court below within a period of six weeks from today keeping in view of the fact that the injury has been found to be simple in nature.

So far as petitioner nos. 1 to 3 and 7 to 8 are concerned, let they be released on anticipatory 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 Judicial Magistrate, Ist Class, Katihar in connection with Azam Nagar P.S. Case No. 165 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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