

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56031 of 2015

Arising Out of PS.Case No. -188 Year- 2015 Thana -SABAUR District- BHAGALPUR

Shyam Mandal

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-12-2015 Heard learned counsels for the petitioner, informant and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302,379 and 120B of the Indian Penal Code.

The prosecution case is that in the background of partition dispute the brother of the informant namely Ajay Mandal and Manoj Mandal took liquor in the company of the petitioner, thereafter the wife of the informant was caught hold by Aradhna when Ajay Mandal assaulted her with lathi on her head causing injury.

It is submitted by learned counsel for the petitioner that the motive of the occurrence is alleged against Ajay Mandal who had partition dispute with the informant and the accusation of

specific overt act has been alleged against Ajay and his wife Aradhna. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

It is submitted by the learned counsel for the informant that the petitioner was one of the conspirators at whose instigation the assaulted was made by Ajay Mandal.

Considering the accusation of specific overt act against Ajay and his wife Aradhna, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhagalpur in connection with Sabour P.S. Case No.188 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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