

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9843 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -KHAZANIHAT District- PURNIA

1. Manish Kumar son of Parmanand Mandal Village- Patraha, P.S.-
Barhara, Dist Purnea.
2. Subodh Mandal son of Suresh Mandal village Laxmipur Bhitta, P.S.
Raghuvansh Nagar Barhara, Dist Purnea.
3. Saurabh Mandal @ Saurabh Kumar son of Sri Sita Ram Mandal Resident
of Village- Kusaha, P.S. Bhavanipur, Dist- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

---with---

Criminal Miscellaneous No.11759 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -KHAZANIHAT District- PURNIA

Awdhesh Mandal S/o Late Arjun Mandal resident of Village - Bhitta, P.S. -
Bhawanipur, District - Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.9843 of 2016)

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Subash Chandra Mishra(App)

(In Cr.Misc. No.11759 of 2016)

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

3 28-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners of both the applications are accused in
connection with K. Hat P.S. Case No. 21 of 2016 registered under

Sections 147, 148, 149, 448, 386, 506 of the I.P.C. and section 3(ii)(v) of the S.C./S.T. (prevention of atrocities) Act. Therefore, both applications are being heard together and disposed of by this order.

The allegation of informant Sonia Devi is that her husband Canchal Paswan was murdered in the night of 06.05.2005 regarding which Bhawanipur P.S. Case No. 51 of 2005 was registered against Bima Bharti, wife of Awdesh mandal, Shankar Mandal, Mahavir Mandal, Vijay Mandal, Motka Awadha Mandal, Chhotka Awadha Mandal, Khokwa Mandal, sikandar Mandal, O.P. Mandal and Amodh Mandal and the said case was running for prosecution evidence, in which her evidence and evidence of her son and daughter are yet to be recorded in the Court. On 17.01.2016 at about 3:00 pm. petitioner Awdhesh Mandal and Chhotka Awadha Mandal along with 9-10 came on black and white Scorpio and entered in the house and pointed out the pistol at her son Mukesh stating to withdraw the case and to give evidence to the Court in their favour otherwise whole family will have to face dire consequences. When her son made protest, he and his family members were also threatened.

Learned counsel appearing on behalf of the petitioners submits that petitioners Manish Kumar, Subodh

Mandal and Saurabh Mandal are not named in the F.I.R. Later on only suspicion is raised against them and the petitioner Awdhesh Mandal has no good relation with his wife Bima Bharti, who is accused in Bhavanipur P.S. Case No. 51 of 2005. Moreover, all the petitioners are in custody since 20.01.2016.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Purnea in connection with K. Hat P.S. Case No.21 of 2016. Out of two sureties, one surety must be parents or close relatives of the petitioners.

(Rajendra Kumar Mishra, J)

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