

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8505 of 2016

Arising Out of PS.Case No. -527 Year- 2015 Thana -MADHEPURA District- MADHEPURA

1. Manjula Devi W/o Dinbandhu Mandal
2. Indrajit Kumat @ Mithun S/o Dinbandhu Mandal
3. Dinbandhu Mandal S/o Late Lakhi Mandal
All are residents of Village- Bhaun, Police Station and District
Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No.2 (App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 22-02-2016

Heard learned counsel for the petitioners and the
State.

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

The prosecution case is that the informant
Manju Devi was cleaning her door, in the meantime
petitioner no. 1 Manjula Devi came and started abusing.
When the mother-in-law of the informant made protest
then co-accused Indrajit Kumar @ Mithun started
assaulting the husband of the informant with farsha. The
daughters of petitioner no.1 Manjula Devi namely
Priyanka Kumari and Priti Kumari started assaulting the
informant with rod, as a result informant and her

husband got unconscious. It is alleged that petitioner no. 3 Dinbandhu Mandal assaulted the mother-in-law of the informant with the butt of country made pistol and started threatening to kill the sons of the informant.

It is submitted by the learned counsel for the petitioners that accusation of making assault to informant and her husband against petitioner no. 2, Indrajit Kumar @ Mithun, and co-accused Priyanka Kumari and Priti Kumari. The only accusation of making assault to the mother-in-law of the informant is against petitioner no. 3, but statement has been made in para-9 that mother-in-law of the informant has not received any injury. Further statement has been made in para-3 of the petition that petitioners have no criminal antecedent. There is counter version of the occurrence also. The petitioner's sides have also received injury.

Considering the fact that the specific accusation of assault is not against petitioner no. 1 namely Manjula Devi, let the above named petitioner no. 1 be released on bail in the event of her 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 527 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner nos. 2 and 3 are concerned, , let the above named petitioner nos. 2 and 3 be released on provisional anticipatory bail for two months 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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No. 527 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

In the meantime, learned court below verify from the records, if the injuries of the informant's husband and mother-in-law are not found grievous, then provisional bail of petitioner nos. 2 and 3 will be confirmed by the learned court below, otherwise, they will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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