

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14095 of 2016

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

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Chhotka Awadha Mandal @ Chhotka Awadhesh @ Chhota Awadhesh
Mandal Son of Rudo Mandal @ Anirudh Mandal, resident of Village-
Bhitha, P.S.- Bhawanipur, (Akbarpur) District- Purnea.

.... 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. Nirmal Kr. Sinha(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

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

The petitioner apprehends his arrest 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 pending in the Court of
C.J.M., Purnea.

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 Awadesh 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. 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 petitioner submits that petitioner has falsely been implicated in this case.

Having considered the facts and circumstances of the case, I am not inclined to allow the prayer of the petitioner for anticipatory bail. Accordingly, this application is rejected.

However, petitioner is directed to surrender before the Trial Court and pray for regular bail which shall be decided on its own merits without being prejudiced by the present order.

(Rajendra Kumar Mishra, J)

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