

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39125 of 2015

Arising Out of PS.Case No. -215 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. Bikram Kumar @ Bikram Son of Jaldish Mandal,
 2. Jaldish mandal @ Jagdish Mandal, S/o Late Nandkeshwar Mandal,
 3. Chitrasen Mandal, S/o Harkishan Mandal,
 4. Bidyanand Mandal, S/o Late Hira Mandal,
 5. Pradip Kr. Mandal @Pradip Kumar Mandal, S/o Bidyanand Mandal,
 6. Sunil Mandal @ Sunil Kumar Mandal, S/o Bidyanand Mandal,
 7. Anil Kr. Mandal @ Anil Kumar Mandal, S/o Bidyanand Mandal, All
resident of village - Tihata Aurahi, P.S. - Simraha, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Smt.Rina Sinha(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 27-01-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State and learned counsel for
the informant also present.

The petitioners are apprehending their arrest in
connection with Forbesganj (Simraha) P.S. Case No. 215/2015
registered for the offences punishable under Section 341, 342,
323, 324, 325, 326, 307, 447 and 34 of the Indian Penal Code.

Learned counsel for the petitioners in Cr. Misc. No.
39125/2015 submits that petitioner no. 6 has already been taken
into custody and his application has already been withdrawn.

So far as, petitioners' no. 1, 2, 3, 4, 5 and 7 are

concerned, learned counsel for the petitioner submits that the allegation against them is wholly misconceived as they were co-villagers and their names have been taken due to malicious intention.

He further submits that there is an allegation against petitioner Bidyanand Mandal of having assaulted Subhash with an iron rod on leg, but the said injury has not been found on his person and these petitioners have no criminal antecedents.

Learned counsel appearing on behalf of the informant submits that these petitioners had come with avowed motive of killing the informant, but on the intervention of certain villagers and on hulla having been raised the informant could somehow saved himself. There is land dispute between the parties.

Considering all facts and circumstances and the material come in the case diary and that they have no criminal antecedent, let the petitioners 1 to 5 and 7, petitioner no. 1. Bikram Kumar, petitioner no. 2. Jaldish Mandal, petitioner no. 3, Chitrasen Mandal, petitioner no. 4 Bidyanand Mandal, petitioner no. 5, Pradip Kumar Mandal and petitioner no. 7. Anil Kumar Mandal respectively in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be

enlarged 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 the learned Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No. 215/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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