

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35422 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -SABOUR District- BHAGALPUR

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1. Bishu Mandal @ Vishwanath Mandal son of Late Narsingh Mandal
 2. Panchu Mandal son of Late Shaligram Mandal
 3. Chatish Mandal @ Chhatish Pd. Mandal son of Late Shaligram Mandal
 4. Chhotelal Mandal son of Late Paddu Mandal
 5. Sunil Mandal son of Late Chhote Mandal All of them resident of Village- Jaikhut, P.S.- Goradih, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Usha Devi wife of Chulhay Mandal resident of Village- Jaikhut, P.S.- Goradih, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad

For the Opposite Party/s : Mr. Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 02-09-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323,504,506,427,452 and 380/34 of the Indian Penal Code and section 27 of the Arms Act.

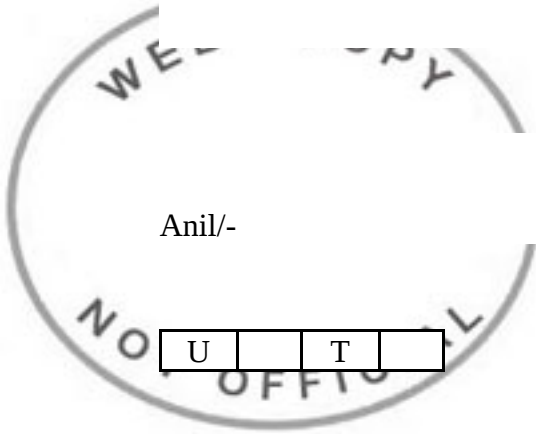
The prosecution case is that on 14.5.2015 at 11 AM the accused persons came and started laying foundation on the land of the informant. On protest being made, all the accused persons abused the informant by catching hold of her. It is also alleged that the accused persons resorted to firing in air while chasing to the

informant and broke open the door. The accused persons also threw the house hold articles. It is alleged that petitioner no. 2 and 4 took away the ornaments kept in box whereas petitioner no. 5 and co accused Vikas Mandal took away fifty thousand rupees and co accused Vishu and Chhatish Mandal threatened the informant and her husband by pointing pistol.

It is submitted by the learned counsel for the petitioners that in the background of land dispute the accusation has been levelled and for the occurrence of 14.5.2015 the complaint was filed on 11.1.2016 which came to be registered as police case after being sent under section 156(3) Cr.P.C. on 13.2.2016. From the FIR it appears that no injury was caused to the informant side. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent

Considering the delayed lodging of the case and the nature of accusation in the background of land dispute, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of learned ACJM, X, Bhagalpur in connection with Sabour (Goradih) P.S. Case No.26 of 2016

subject to the conditions as laid down under Section 438(2)
Cr.P.C.



(Dinesh Kumar Singh, J)