

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1473 of 2016

Complaint Case No. -52 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Arun Mandal Son of Late Singheshwar Mandal
 2. Pradeep Mandal @ Pappu Mandal
 3. Shashi Kumar Mandal @ Rishi Mandal @ Shashi Mandal
 4. Chandan Mandal
 5. Mithilesh Mandal @ Khunkhan Mandal @ Mithlesh Kr. Mandal.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bhim Mandal, Son of Late Singheshwar Mandal

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr. C. Jawahar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-01-2016 Heard learned counsels for the petitioners and the

State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 147, 323 and 379 of the Indian Penal Code.

It is alleged that the informant was constructing house under the Jawahar Rojgar Yojna on 4 ½ decimals of land, which falls in his share, when accused persons came variously armed started abusing and resorted to fire. On protest being made the accused persons assaulted the informant. It is specifically alleged that petitioner no.1 Arjun Mandal took away Rs.50,000/- cash as

extortion and other accused persons took away spade, cement and other construction materials whereas petitioner no.3 Shashi Kumar Mandal took away box after breaking door.

It is submitted by learned counsel for the petitioners that for the occurrence of 05.01.2014, the complaint was filed on 07.01.2014. The petitioners are agnate of the informant and when they made protest for constructing house on joint family property then the present case has been lodged. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the genesis of the occurrence, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Complaint Case No.52/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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