

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58048 of 2015

Arising Out of PS.Case No. -317 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. Udra Nand Mandal S/o- Upendra Mandal
 2. Abnek Mandal @ Abinek Mandal @ Abnesh Mandal S/o Upendra Mandal, Both resident of village- Gurmi, Ward No. 3, P.S.- Forbesganj, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha
For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 354(A)/34 of the Indian Penal Code and Section 3(1)(x)(xi) of the SC & ST (Prevention of Atrocities) Act.

The prosecution case is that the informant was getting her land ploughed with the tractor when the petitioners came, made objection, assaulted the informant and abused by calling caste name. The accused persons also tore the sari of the informant.

It is submitted by learned counsel for the petitioners that for the occurrence of 13.04.2015 the F.I.R was registered on 20.07.2015 which reached to the Court of learned C.J.M on 23.07.2015 which suggests that by anti-dating the F.I.R has been registered. There is a land dispute between the

parties from before and several rounds of litigations were being initiated between the parties from before. Hence, as a retaliatory measure the present case has been lodged.

Considering the delayed lodging of the F.I.R and the accusation being levelled in the background of serious litigated relationship between the parties from before, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj(Simraha) P.S. Case No. 317 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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