

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13051 of 2016

Arising Out of PS.Case No. -139 Year- 2015 Thana -JALALGARH District- PURNIA

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1. Rajendra Mandal @ Rajendra Prasad Mandal, Son of Late Bhay Lal Mandal,
 2. Sanjay Mandal @ Sanjay Kumar Mandal, Son of Rajendra Mandal,
 3. Vishwnath Mandal, Son of Yogendra Mandal
 4. Biren Mandal @ Biran Mandal , Son of Gagaru Mandal
 5. Bhola Rishi, Son of Ramu Rishi.
 6. Pritam Mandal @ Pritam Kumar, Son of Sushil Mandal
 7. Nitesh Mandal @ Nitem Mandal, Son of Sushil Mandal
 8. Sushil Mandal, Son of Late Mehi Lal Mandal
 9. Binod Kumar Mandal @ Binod Mandal @ Mantu Mandal @ Mantu, Son of Damodar Mandal All are resident of Village- Mahiyarpur, Police Station- Jalalgarh in the district of Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar

For the Opposite Party/s : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 20-04-2016 Heard the counsel for the petitioners and Mr. M. Dayal,

APP for the State.

The petitioners herein seek anticipatory bail in Jalalgarh
P.S. Case No. 139 of 2015 punishable under Sections 147, 148,
149, 323, 307, 302, 504 of the Indian Penal Code

All the nine petitioners along with others are named in
the First Information Report. It is alleged that while informant
and the deceased was at the temple, the accused persons

indiscriminately assaulted him with lathi/danda, which ultimately resulted in death of the brother of the informant.

Mr. Singh has contended that the allegation is general and omnibus. The findings in the postmortem report does not fit with the prosecution case. The female accused(s) of the case have been granted the privilege of anticipatory bail vide order dated 05.04.2016, passed in Cr. Misc. No. 13384 of 2016. The petitioners deserve the grant of anticipatory bail.

Mr. Dayal, on the other hand, opposed the prayer and placed the FIR as also the impugned order.

The allegation, as also the incriminating materials collected in course of investigation, as evidenced from the impugned order, do not persuade to this Court to grant the privilege of anticipatory bail. The accused(s) person granted the privilege of anticipatory bail were female members. The prayer of anticipatory bail is accordingly rejected.

The petitioners may surrender and seek regular bail. If they do so, the court below shall consider and dispose of the same on its own merit unprejudiced by the present order.

(Kishore Kumar Mandal, J)

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