

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47221 of 2015

Arising Out of PS.Case No. -201 Year- 2015 Thana -FALKA District- KATIHAR

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1. Manoj Mahaldar, S/o Bhagwan Mahaldar.
2. Bijay Mahaldar @ Vijay Mahaldar.
3. Sonu Mahaldar, Both sons of Ram Mahaldar, All (1,2 & 3) residence of Village- Mohajn, P.S.- Falka, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Ambika Bhagat (Spl.APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 27-01-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Learned counsel for the petitioners seeks permission to withdraw this application in respect to petitioner no. 3, Sonu Mahaldar, due to his arrest by the police.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn as against petitioner no. 3, Sonu Mahaldar.

The petitioner nos. 1 and 2 apprehend their arrest in connection with Falka P.S. Case No. 201 of 2015 registered under Sections 341, 323, 325 and 504/34 of the Indian Penal Code and Sections 3(i)(5) of the SC/ST Act.

The accusation is that petitioners came at the door of the informant, Bhakh Paswan and started to abuse and denoting his caste name "Dusad" and asked to withdraw the case related to

the land dispute. When the informant made protest then the petitioner Bijay Mahaldar cause injury through bamboo piece at the hand of the informant. When Chandan Paswan came to save his father, informant, Bhakh Paswan then he was also assaulted.

Learned counsel for the petitioner nos. 1 and 2 submits that petitioners and the informant are next door neighbor and due to land dispute the petitioner nos. 1 and 2 have falsely been implicated in this case.

Considering the facts and circumstances of the case, let petitioner nos. 1 and 2, namely, Manoj Mahaldar and Bijay Mahaldar @ Vijay Mahaldar, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 the Judicial Magistrate Ist Class, Katihar, in connection with Falka P.S. Case No. 201 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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