

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32091 of 2016

Arising Out of PS.Case No. -372 Year- 2016 Thana -KATIHAR District- KATIHAR

Manjit Mandal, son of Sri Eswar Chandra Mandal, resident of Village-Naya Tola, Ward No.35, P.S. Katihar (Town), District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Sri Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 31-08-2016 Heard Mr. Md. Musowir, learned counsel for the petitioner and Sri Nagendra Prasad, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Katihar (Town) P.S. Case No.372/2016 registered for the offence under Sections 323, 379, 341, 452, 427, 504/34 of the Indian Penal Code, has prayed for grant of bail in the event of his arrest.

It was submitted by learned counsel for the petitioner that the informant and the petitioner are own cousin brother and land dispute in between two families is going on. Due to the said reason, the petitioner has falsely been implicated. He submits that save and except the offence under Sections 379 and 452 of the Indian Penal Code, all other Sections are bailable. He

further submits that from the F.I.R., it is evident that the allegation for the offence under Section 379 of the Indian Penal Code has ornamentally been made. Regarding trespass, he submits that the petitioner is own cousin brother of the informant. Accordingly, a prayer has been made for extending the privilege of anticipatory bail.

Learned Addl. Public Prosecutor has opposed the prayer for anticipatory bail of the petitioner.

However, keeping in view the nature of accusation and the fact that the petitioner and the informant are own cousin brother, as stated in para-7 of the petition, let the petitioner, namely, Manjit Mandal, in the event of his arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Katihar (Town) P.S. Case No.372/2016, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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