

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2634 of 2016

Arising Out of PS.Case No. -96 Year- 2015 Thana -KATIHAR MUFFASIL District- KATIHAR

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1. Suraj Mandal
 2. Vijay Mandal
 3. Niraj Mandal @ Niraj Kumar All sons of Jagarnath Mandal
 4. Sulekha Devi Wife of Suraj Mandal
 5. Sekha Devi Wife of Vijay Mandal

All are resident of Gaushala Radika, P.S.- Mofussil, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar-II(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-01-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 379, 504, 506 of the Indian Penal Code.

The prosecution case is that the accused persons came to the courtyard of the informant, when petitioner no. 1 Suraj Mandal assaulted with dabia, causing injury on the hand of the wife of the informant. When informant



and his daughter came to rescue, then they were also assaulted. The accused persons snatched the ear ring of the daughter of the informant. It is alleged that petitioner nos. 2 and 3 Vijay Mandal and Niraj Mandal @ Niraj Kumar assaulted with lathi to the wife of the informant, causing fracture injury on her right hand, they also assaulted the informant and his daughter.

It is submitted by the learned counsel for the petitioners that the injury report of the wife of the informant reflects one lacerated injury on the left wrist of a marginal size. Swelling tenderness on the right finger, caused by hard and blunt substance, whereas it is alleged that the petitioners assaulted with sharp cutting weapon. There is no injury caused to the informant or informant's daughter. It is further submitted that for property dispute accusation has been levelled. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the accusation being not corroborated by the medical opinion, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar (Muffasil) P.S. Case No. 96 of 2015,

subject to conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.



(Dinesh Kumar Singh, J)