

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12137 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -BARIYARPUR District- MUNGER

1. Murari Mandal S/o Late Durga Mandal.
2. Shivram Mandal, S/o Murari Mandal.
3. Narad Mandal, S/o Murari Mandal.
4. Mithlesh Mandal, S/o Late Adhiklal Mandal.
5. Parmanand Mandal, S/o Late Adhiklal Mandal.
All are resident of village - Khariya, P.S. - Bariyarpur, District - Munger.
.... Petitioners

Versus

The State of Bihar Opposite Party

Appearance:

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate.
For the Opposite Party/s : Mr. Kr. Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-03-2016 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners seek pre-arrest bail in connection
with Bariarpur P.S. Case No. 01/2016 dated 03.01.2016
registered under sections 147, 148, 385 and 387 of the Indian
Penal Code.

It is contended that the accused petitioners belong
to the same family and the petitioner Mithilesh Mandal is in Para-
military Force (CRPF) whereas petitioner Murari Mandal is a
retired Subedar Nayak of Indian Army. It is further contended
that due to family feud the instant case has been registered and

there is no question of demand of any rangdari from the informant of the case. It is also contended that Section 385 of the Indian Penal Code is bailable in nature and the ingredients of the offence punishable under Section 387 of the Indian Penal Code are not attracted in the present case.

On the other hand, learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of six weeks from the date of receipt/production of a copy of the order, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Bariarpur P.S. Case No. 01 of 2016 subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.

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