

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43063 of 2016

Arising Out of PS.Case No. -38 Year- 2015 Thana -ISMILEPUR District- BHAGALPUR

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1. Ghotal Mandal, Son of Bhagwan Mandal.
 2. Tetar Mandal, son of Kapuri Mandal.
 3. Wakil Mandal, Son of Late Basant Mandal. All are Residents of Village- Chhatu Singh Tola Ismilepur, Police Station- Ismilepur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey
For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 25-10-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Ismilepur P.S. Case No. 38 of 2015, disclosing offences under Sections 147, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioners, has submitted that it is evident from the First Information Report that there is some dispute over the passage between these petitioners and informant's husband. He has further submitted that though, there is allegation against the petitioner No. 1, of causing injuries with sharp edged weapon, the injuries have been found to be simple in nature on the body of the informants' husband. He has also submitted that so far

as petitioner Nos. 2 and 3 are concerned, the allegation against them, is of causing hurt to informant's husband by means of iron rod and lathi and, therefore, no offence under Section 307, is made out.

Considering the submission, as above, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Naugachia, District-Bhagalpur, in connection with Ismilepur P.S. Case No. 38 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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