

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58143 of 2015

Arising Out of PS.Case No. -514 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. Gajanand Mandal @ Gayanand Mandal
2. Ramtahal Mandal
3. Babloo Mandal
4. Nengru Mandal All sons of Chulhai Mandal
5. Umesh Mandal, Son of Bhopi Mandal
6. Fekchu Mandal, son of Bhopi Mandal All petitioners' residents of village- Katehra Ward No. 10, P.S.- Forbesganj, District- Araria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Anita Kumari Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

3 30-01-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Forbesganj P.S. Case No. 514 of 2015, disclosing offences under Sections 447, 341, 323, 324, 407, 427, 504 and 506/34 of the Indian Penal Code.

Briefly narrated the prosecution case is that one Santosh Mandal with petitioner no. 1 were cutting trees of mango which according to the informant belonged to him. Over boundary dispute, the occurrence is said to have taken place. Allegedly, one Santosh Mandal hit the informant with an axe. It is further alleged that after the said occurrence having taken place, other accused persons including petitioners no. 2 to 6 came and assaulted the

informant and threatened him of dire consequences.

Learned counsel appearing on behalf of the petitioners submits that boundary dispute between the parties is the reason behind institution of a false case which contains exaggerated version of the real incident.

Considering the facts and circumstances and the genesis of occurrence, 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 514 of 2015, subject to the conditions as 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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