

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18822 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -GOGRI District- KHAGARIA

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1. Dev Narayan Mandal, Son of Late Fagu Mandal.
 2. Uttam Mandal, Son of Ramchandra Mandal.
 3. Sudhakar Mandal @ Suman @ Sudhakar Kumar, Son of Ramchandra Mandal
 4. Rakesh Kumar, Son of Deve Narayan Mandal, resident of Village – Bahadurpur, P.S. Gogri, District – Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-05-2017 The petitioners are apprehending their arrest in connection with Gogri P.S. Case No. 165 of 2016, registered for offences punishable under Sections 341, 323, 308/34 Indian Penal Code.

Allegation against the petitioners is of assault to the informant by means of *lathi* and *danda*.

It has been submitted on behalf of the petitioners that prior to lodging of the present case by the informant, petitioner no. 1 had already filed a case against the informant and it is also an admitted fact that the occurrence took place due to land dispute between the parties. Further petitioners side have also received injuries and out of which some of the injuries were found grievous



in nature and the injuries received by the informant side was found simple in nature except one injury, about which also, nothing specific has been alleged as to who caused the said injury.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also there is case and counter case between the parties and both sides sustained injuries, as such, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Khagaria, in connection with Gogri P.S. Case No. 165 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available



as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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