

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33646 of 2017

Arising Out of PS.Case No. -184 Year- 2017 Thana -MADHEPURA District- MADHEPURA

=====

1. Binod Mandal son of Late Lakshmi Mandal,
2. Bachani Devi wife of Binod Mandal
3. Hareram Mandal son of Late Lakshmi Mandal
4. Kavita Devi wife of Hare Ram Mandal All Resident of Village and P.S. Ghailadh (Madhepura), District Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal
For the Opposite Party/s : Mr. Shailendra Kumar -1

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-07-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Madhepura (Ghailardh) P.S.Case No. 184 of 2017 registered for the offences punishable under Sections 341, 323, 379, 326, 504 and 506/34 of the Indian Penal Code.

Petitioners are named in the FIR and allegation against them is that they have assaulted the informant and others and further allegation against petitioner Binod Mandal as per FIR is that he has assaulted the informant by dabia causing injury on her ear. However, impugned order shows that Binod Mandal has caused injury on the husband of the informant and so far other petitioners are concerned, there is allegation that they have



snatched ear rings of the informant and others.

It has been submitted on behalf of the petitioners that there is case and counter case between the parties due to land dispute and false case has been lodged against the petitioners with oblique and ulterior motive.

Heard learned APP also.

Having heard both sides and in view of above facts and circumstances, let petitioners Nos. 2, 3 & 4, named above, surrender in the court below within four weeks from today and on their so surrendering, learned court below will release them on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura, in connection with Madhepura (Ghailardh) P.S. Case No. 184 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and petitioners shall co-operate in the investigation and make themselves available before the police as and when required and in the event of failure on their part to appear before the police on two consecutive dates, the prosecution shall be free to move for



cancellation of their bail bonds and further petitioners will not induce any witness or tamper with the evidence.

So far prayer for anticipatory bail of petitioner No.1 is concerned, let him surrender and the court below will verify the accusation against him in the FIR and there is any allegation against him of assault to husband of informant, his prayer for bail will be rejected. Otherwise, the court below will release him to his own satisfaction and the court below will inform this Court that there is any misrepresentation in the FIR.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

