

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40348 of 2017**

Arising Out of PS.Case No. -38 Year- 2017 Thana -KAHALGAON District- BHAGALPUR

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1. DILIP KUMAR@ DILIP KUMAR MANDAL, S/o Sarju Mandal @ Saryug Mandal.  
2. Gulabi Mandal, S/o Late Racho Mandal, Both are resident of Village- Kodwar, P.S. Kahalgaon (Ghogha), District- Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anupa Nand Jha

For the Opposite Party/s : Mr. Smt. Meena Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**  
**ORAL ORDER**

2      15-09-2017                      Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kahalgaon (Ghogha) P.S. Case no. 38 of 2017 registered under Sections 147, 148, 149, 353, 337, 338, 332, 333, 307, 504, 506, 224 and 225 of the Indian Penal Code.

The accusation is that, on secret information, the informant, being an A.S.I. along with other police officials, proceeded to village Kodwar and arrested Jai Prakash Mandal accused in connection with Kahalgaon (Ghogha) P.S. Case No. 450 of 2016 but his family members along with other 50-60 co-villagers including the petitioners started pelting stones and also used the man powers. They succeeded to get free Jai Prakash Mandal from the police.



Learned counsel for the petitioner submits that while petitioners are named in the F.I.R. along with others but no specific overt act has been attributed against them. It is further submitted that other co-accused Sitaram Mandal has been allowed privilege of anticipatory bail by a co-ordinate bench of this Court through Criminal Miscellaneous No. 16952 of 2017 vide order dated 16.05.2017.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Ghogha) P.S. Case No. 38 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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