

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41128 of 2016

Arising Out of PS.Case No. -372 Year- 2013 Thana -BAHERI District- DARBHANGA

- =====
1. Ram Lakhan Singh, Son of late Jamun Mandal,
 2. Ram Bilas Mandal, Son of late Ram Dev Mandal
 3. Gopaljee Mandal Son of late Yadu Mandal
 4. Dani Mandal Son of late Jamun Mandal. All are residents of Village-Sirsiya, P.S Baheri, District Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Gopal Jha

For the Opposite Party/s : Smt Indu Kumari Srivastava

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

6 08-02-2017 Learned counsel for the petitioners is permitted to make necessary corrections in the Supplementary Affidavit filed on behalf of the petitioners.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Baheri P.S. Case no. 372 of 2013, registered under Sections 147, 148, 149, 341, 323, 307, 386, 427, 379 and 504 of the Indian Penal Code.

The accusation is that petitioners and others put bamboo and closed the road then protest was made by the family members of the informant and occurrence of Marpit took place regarding which Baheri P.S. Case No. 333 of 2013 was instituted. Thereafter, on 20.10.2013 Ramputin Mandal, Ram Bilash Mandal (Petitioner),



Ramlakhan Mandal (Petitioner) and Ramjee Mandal damaged the crop of the informant regarding which Baheri P.S. Case No. 356 of 2013 was instituted. Thereafter, they started demanding ransom of Rs. 20,000/- per month after giving threatening that they will not be allowed to live in village in case of non-fulfillment of demand of ransom. Thereafter, on 13.11.2013 at about 8.00 P.M., Dayanand Singh, Ramjee Mandal, Ramputin Mandal, Ramlakhan Singh (Petitioner), Rambilash Mandal (Petitioner), Dani Mandal (Petitioner), Rajkumar Mahto and Suraj Mandal came to the house of the informant variously armed with weapons and started to abuse due to non-fulfillment of demand of ransom and at the order of Dayanand Singh, Ramjee Mandal and Dayanand Mandal caused injury at the head of her father-in-law. At that time, petitioner Ramlakhan Mandal, Ramputin Mandal assaulted the informant and her daughters Puja and Rupa. Thereafter, Dani Mandal and RajKumar Mahto also assaulted his mother-in-law and took away the briefcase containing ornaments and other valuables.

Learned counsel for the petitioners submits that the occurrence of Marpit took place due to land dispute in which petitioner side also sustained injury regarding which Baheri P.S. Case No. 370 of 2013 was instituted on the basis of written report of co-accused Ramjee Mandal. Further submission is that the allegation of causing assault to the informant, her daughters and her mother-in-law is against Ramlakhan Mandal, Ramputin Mandal, Dani Mandal and Raj



Kumar Mahto, but no injury was found on the person of the informant, her daughters and her mother-in-law, while the allegation has been made against Ramjee Mandal to cause injury to the informant, but only one injury was found on the head of the informant.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the ACJM-V, Darbhanga in connection with Baheri P.S. Case No.372 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

