

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55298 of 2017

Arising Out of PS.Case No. -370 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Girindra Mahaldar, Son of Jhapati Mahaldar, Resident of Village-Ekchari,
P.S. Rasahapur, District-Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 27-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Kahalgaon P.S. Case no. 370 of 2015, registered under Sections 147,
148, 149, 323, 324, 307 and 386 of the Indian Penal Code and Section
27 of the Arms Act.

The accusation is that on 05.09.2015, in the morning,
informant Raju Mandal was present at his door then Puran Mandal,
petitioner and Nakul Mandal etc. came there and asked to come at the
door of Fajlu Madal for Panchayati regarding the dispute of fishery.
Thereafter, informant along with his brother Mangal Mandal went at
the door of Fajlu Mandal, where petitioner and Nakul Mandal
(Sarpanch) and some other antisocial elements were present. The
petitioner asked him to give Rs. Two Lakhs due to fishery, then
informant replied regarding receipt of Diggi Bandh for fishing in



favour of his group leader. Thereafter, all accused persons told about ransom of Rs. Two lakhs. The Sarpanch Nakul Mandal started abusing and order to kill him then Fajlu Mandal opened firing and caused fire arm injury to Mangal Mandal at his buttock. Thereafter, Gajlu Mandal also fired at Mangal Mandal at his belly. At that time, Nakul Mandal caused injury through Garasa at the informant and others also caused to him and firing was also made.

Learned counsel for the petitioner submits that, in fact, due to dispute of fishery, Panchayati was arranged in which petitioner was present, where the occurrence of Marpit took place, but with ulterior motive he has falsely been implicated in this case with false allegation regarding demand of ransom from the informant.

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 Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon P.S. Case No. 370 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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