

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31570 of 2017

Arising Out of PS.Case No. -450 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

- =====
1. Jay Prakash Mandal
 2. Manoj Mandal, both are son of Sitaram Mandal and both are resident of village –Kodwar, PS-Kahalgoan (Ghogha), District-Bhagalpur.
- Petitioner/s

Versus

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 : Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-07-2017 This application is for grant of bail in connection with Kahalgoan (Ghogha) P.S. Case No. 450 of 2016 registered for the offences under sections 147, 149, 448, 342, 323, 379, 504, 506 of the Indian Penal Code and later on, section 302 of the Indian Penal Code has been added.

Allegation against the petitioners is that they along with 25-30 accused persons dragged the informant and assaulted him. Further allegation against the petitioners is that petitioners have assaulted the deceased by butt of gun causing injury to him and due to that, he succumbed to the injury.

Submission of the learned counsel for the petitioners is that the petitioners have falsely been implicated in this case, which will appear from the *post mortem* report and they are in custody for three months.



Heard learned Additional Public Prosecutor as well as learned counsel for the informant.

The learned Additional Public Prosecutor and learned counsel for the informant oppose the prayer for bail of the petitioners stating that the petitioners dragged the informant and brutally assaulted him and in the *post mortem* examination, one abrasion was found on the person of the informant. Further submission is that some accused persons including the petitioners were arrested and thereafter, the petitioners fled away but they were arrested later on and for that, another case has been lodged against them

Having heard both sides and in view of the facts and circumstances, as stated above, at this stage, I am not inclined to enlarge the petitioners on bail. However, the petitioners may renew their prayer for bail after framing of charge in this case.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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