

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48763 of 2017

Arising Out of PS.Case No. -289 Year- 2017 Thana -SUPAUL District- SUPAUL

- =====
1. Mahendra Mandal
2. Sudish Mandal Both are Sons of Late Gangadhar Mandal Resident of village- Chandail Maricha, Police Station and District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam
For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 23-11-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Supaul Police Station Case No. 289 of 2017, disclosing offences under Sections 147, 149, 341, 323, 325, 379, 406 and 504 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioners, who are of clean antecedent, are innocent and have not committed any offence. In fact, the F.I.R. has been lodged after lapse of 5 days from the date of occurrence, which itself creates doubt over the prosecution version. Moreover, the specific allegation is leveled against the co-accused, Santosh Mandal, who is said to have assaulted with bricks to the



informant. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, in connection with Supaul Police Station Case No. 289 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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