

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.597 of 2017

Arising Out of PS.Case No. -136 Year- 2016 Thana -BIRAUL District- DARBHANGA

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1. Sattan Mandal, S/o Kapleshwar Mandal,
2. Deepak Mandal, S/o Sattan Mandal,
3. Ranjit Mandal, S/o Sattan Mandal,
4. Sanjit Mandal, S/o Sattan Mandal,
5. Bachiya Devi, W/o Late Ganesh Mandal,
6. Bibha Devi, W/o Sattan Mandal, All residents of Village- Usari, Police Station- Biraul, District- Darbhanga.
7. Sitaram Mandal, S/o Bilat Mandal, Residents of Village- Seema, Police Station- Bahera, District- Darbhanga.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shailendra Kumar Jha, Advocate.
For the Opposite Party : Mr. Shailendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Biraul P.S. Case No. 136 of 2016 for the offences instituted under Sections 341, 323, 448, 380 and 354/34 of the IPC.

The prosecution story, in brief, is that the informant with her husband used to live in Delhi. In the meantime, the petitioners looted the articles worth Rs. 2,00,000/- from the house of the informant after breaking the lock. When the informant's mother-



in-law protested, she was made naked. When the informant came from Delhi and asked about the occurrence, the accused abused, assaulted and threatened for dire-consequences. Petitioner no. 1 tried to misbehave with the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case. There is land dispute between the parties. Both the parties are agnates. General and omnibus allegation is there. Petitioner nos. 5 and 6 are the ladies.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R. and they have actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, let the petitioner nos. 5 and 6 above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Biraul P.S. Case No. 136/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Biraul, Darbhanga, subject to the conditions as laid down under Section 438(2) of the



Code of Criminal Procedure.

As far as the petitioner nos. 1, 2, 3, 4 and 7 are concerned, their payer for anticipatory bail is rejected. If they surrender in the court below the same shall be considered on its own merit without being prejudiced by the order of this Court.

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(Sudhir Singh, J)

