

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20183 of 2017**

Arising Out of PS.Case No. -237 Year- 2016 Thana -AJAMNAGAR District- KATIHAR

- =====
1. Baijnath Mandal, Son of Late Narayan Mandal
  2. Dinesh Yadav Son of Late Chichai Yadav
  3. Navin Mandal @ Navin Kumar Mandal, Driver, Son of Baijnath Mandal All are Resident of Village- Gogra, P.S. Azam Nagar, District Katihar

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Smt. Pushpa Sinha

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

**ORAL ORDER**

3      13-10-2017                      Heard leaned counsel for the petitioners and the leaned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Azam Nagar P.S. Case No. 237 of 2016, registered under Section 302/34 of the Indian Penal Code, pending in the court of the Judicial Magistrate, 1<sup>st</sup> Class, Katihar.

The accusation is that on 31.08.2016 at about 7.00 P.M. Bhola Mandal, brother of the informant, was returning to his village from the railway station. At that time informant was going to attend call of nature then saw 10 persons, including the petitioners, who were boarded on the Bolero jeep, they were talking that Bhola Mandal has seen the murder of Md. Ajaj,



therefore, Bhola Mandal should be crushed so that he may not disclose the matter to any one. Thereafter, Bhola Mandal, brother of the informant was dashed through the Bolero Jeep in which 10 persons, including the petitioners, were sitting. Subsequently, Bhola Mandal succumbed to his injuries.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial Court within six weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

**(Rajendra Kumar Mishra, J)**

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