

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73545 of 2018

Arising Out of PS. Case No.-178 Year-2018 Thana- FORBESGANJ District- Araria

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1. Shankar Mandal, Son of Pramod Kumar Mandal
 2. Yogendra Jha @ Jogendera Jha, Son of Late Tanuk Lal Jha
 3. Lalita Devi, Wife of Yogendra Jha @ Jogendra Jha, All are Resident of Village-Simraha, Ward No.1, P.S. Forbesganj(Simraha), Distt.-Araria
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Smt. Rita Verma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 448, 323, 324, 307, 504 and 379/34 of the IPC.

The prosecution case is that on 18.03.2018 at 1.00 P.M., petitioner Shankar Mandal along with co-accused Dilip Jha came to the house of the informant and brought liquor with them and intended to consume liquor in her house. On protest being made, co-accused Dilip Jha assaulted with brick on the head of the informant causing bleeding injury and tore the cloth of the informant. In the meantime, when daughter-in-law of the informant came to rescue then she was also assaulted by Yogendra Jha (petitioner no.2) and Lalita



Devi (petitioner no.3).

It is submitted by learned counsel for the petitioners that the specific accusation of assault is against the co-accused Dilip Jha, who is not a petitioner before this Court. It is further submitted that the petitioners are neighbours and the accusation has been levelled in the background of prevailing dispute between them . Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation of assault against all the accused persons.

Considering the fact that specific accusation of assault is against the co-accused Dilip Jha, coupled with statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks 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 CJM, Araria in connection with Forbesganj P.S. Case No.178 of 2018



subject to the conditions laid down in Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

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