

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9428 of 2018**

Arising Out of PS. Case No.-126 Year-2017 Thana- MANSI District- Khagaria

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1. Madan Mandal
  2. Bhikho Mandal  
Both sons of Jichho Mandal
  3. Bultus Mandal, Son of Dipan Mandal
  4. Bambam Mandal, Son of Jivan Mandal
  5. Ram Swaroop Mandal, Son of late Bano Mandal
- All are resident of Village- Saidpur, P.S.-Mansi, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Viveka Nand Singh, Adv.  
For the Opposite Party/s : Mr. J. N. Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2     17-02-2018             Heard learned Counsel for the petitioners and learned APP  
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 354, 504, 506, 427 and 379/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 09.06.2017 submitted by Gita Devi to the Station House Officer, Mansi Police Station to the effect on 08.06.2017, while the informant along with her daughter, was returning home, the petitioner no.1 Madan Mandal and his wife Sunita Devi restrained them to go to the house through the road in



question. On protest being made, the accused persons got agitated and started abusing. Subsequently, on 09.06.2017 at 6.30 A.M., the accused persons, including the petitioners, being variously armed came to the house of the informant and started assaulting the husband of the informant with fists and slaps, when the son and daughter of the informant came to his rescue, the accused persons also assaulted them. It is further alleged that petitioner no.1 Madan Mandal took away gold chain of the informant, whereas, petitioner no.3 Bultus Mandal took away Rs.20,000/- from the pocket of the husband of the informant.

It is submitted by learned counsel for the petitioners that for a petty dispute the accusation has been levelled. All the offences are bailable except the offences under sections 354 and 379 of the I.P.C. . Accusation under section 354 of the I.P.C. is not specific against the petitioners. However, the accusation under section 379 of the I.P.C. appears to be cosmetic in nature. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur, learned APP for the State there is specific accusation against the petitioners.

Considering the accusation levelled in the background of land dispute coupled with statement made in paragraph no.3 of



the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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, Khagaria in connection with Mansi P.S. Case No.126 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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