

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8009 of 2018

Arising Out of PS.Case No. -146 Year- 2017 Thana -BAUNSI District- ARRARIA

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1. Baijnath Mandal, S/o late Sukhru Mandal
2. Manju Devi, W/o Baijnath Mandal
3. Basudeo Mandal S/o late Kalaru Mandal

All Residents of Village- Basaithi, P.S. Bousi, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-02-2018

Heard learned counsel for the petitioners and the State.

Prayer for anticipatory bail against petitioner No. 3 namely, Basudeo Mandal, has been dismissed as withdrawn vide order dated 9.2.2018 passed by this Court.

So far petitioner Nos. 1 and 2 are concerned, they apprehend their arrest in **Bounsi P.S. Case No. 146 of 2017** instituted for the offence under Sections 147, 341, 323, 353, 186, 188, 189 and 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against petitioner Nos. 1 and 2. In the First Information Report it is alleged that Circle Inspector and Survey Amin had gone to place of occurrence for measurement of land, as per order of Circle Officer, These petitioners with other accused



persons after forming unlawful assembly started abusing and obstructed them in discharging their duties.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner Nos. 1 and 2 namely, Baijnath Mandal and Manju Devi is allowed. In the event of surrender/arrest of the petitioner Nos. 1 and 2, named above, within six weeks from today, in connection with **Bounsi P.S. Case No. 146 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-VI, Araria**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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