

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63278 of 2018

Arising Out of PS. Case No.-587 Year-2017 Thana- RAJAON District- Banka

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1. Anil Mandal, son of Kheshari Mandal,
 2. Suman Devi, wife of Anil Mandal, Both Resident of Village- Goradih, Police Station- Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Rajoun P.S. Case No. 587 of 2017, registered under Sections 341, 323, 307, 325, 504, 506/34 of the Indian Penal Code.

Petitioners along with two other accused persons are said to have assaulted the informant by means of *Lathi* and brick bat on his head and also broken his left hand. They have also assaulted his wife by means of leg and fists, when she rushed to save his husband over the land dispute.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners



have been falsely implicated in this case due to land dispute. There is no injury either on the person of the informant or his wife. The allegation levelled against them is omnibus and general. Learned Sessions Judge has passed the impugned order after about four months of the occurrence and has not found any original or supplementary injury report in the case diary.

In the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 587 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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