

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38365 of 2018

Arising Out of PS.Case No. -1464 Year- 2015 Thana -COMPLAINT CASE District- BANKA

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1. Bhola Mandal S/o Late Huro Mandal
2. Indu Devi W/o Bhola Mandal Both residents of village - Madadiha, P.S. -
Banka, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramchandra Mandal S/o Late Huro Mandal R/o Village - Madadiha, P.S.
- Banka, Distt. - Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Complaint Case No.1464 of 2015 , registered for offences punishable under Sections 147, 323, 380, 452, 504 and 420 of the Indian Penal Code.

Allegation against the petitioners is that the petitioner executed a sale deed with the wife of the complainant as the complainant was ill and when he protested, he was assaulted and golden chain was snatched.

Submission of the learned counsel for the petitioners is that the deed was executed in the year, 2011 and the case has been lodged in the year, 2015 and the dispute between the parties is purely civil dispute and the allegation of assault and snatching of



ornament is ornamental in nature.

No body appears on behalf of the complainant and in spite of service of notice on O.P.no.2, no body appears on behalf of O.P.no.2.

Having heard both sides and in view of the facts and circumstances, as stated above , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the Sri Roushan Kumar , J.M.Ist Class, Banka in connection with Complaint Case No.1464 of 2015, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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