

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42162 of 2018

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1. Sonu Mandal,
2. Monu Mandal,
3. Bhula Mandal,
All sons of Sundeshwar Mandal,
4. Raja Mahto, S/o Chhaththu Mahto,
All R/o Vill.- Khaira, P.S.- Bahadurpur, Ptaur O.P., District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Shama Sinha, Advocate
For the Informant : Mr. Prabhakar Thakur, Advocate
Mr. Shankar Kumar Thakur, Advocate
For the Opposite Party/s: Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 14-08-2018 Heard learned counsel for the petitioners and the State

as well as counsel for the informant.

The petitioners apprehend their arrest in **Bahadurpur**
P.S. Case No.112 of 2018 instituted for the offence under
Sections 341, 323, 325, 313 and 354(A) of the Indian Penal Code.

Counsel for the petitioners has submitted that due to
land dispute the informant has earlier filed complaint case No.98
of 2018 levelling similar allegation which is pending at the stage
of inquiry. It has further been submitted that husband of the
informant has also lodged a case against the petitioners vide
Bahadurgarh P.S. No.28 of 2018.



In the instant case it is alleged that on 19.02.2018 the petitioners assaulted the wife of informant on her abdomen causing miscarriage. The occurrence is said to have taken place on 19.02.2018 and case has been lodged on 23.03.2018 i.e. after delay of one month and four days.

Case diary has been received.

The injury report of wife of the informant is available in the case diary wherein the doctor has found no external injury on her person.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Bahadurpur P.S. Case No.112 of 2018**, 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 **Sub-Divisional Judicial Magistrate, Darbhanga**, 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.

S.Ali/-
Rohit Kr.

(Sanjay Priya, J)

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