

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44978 of 2018

Arising Out of PS.Case No. -434 Year- 2017 Thana -BIRAUL District- DARBHANGA

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1. Ram Bahadur Mandal, Son of Faguni Mandal.
2. Hiralal Mandal, Son of Ram Bahadur Mandal.
3. Ganga Prasad Mandal, Son of Ram Bahadur Mandal.
4. Nitish Kumar Mandal, Son of Hiralal Mandal.
5. Kamli Devi wife of Hiralal Mandal.
6. Bablu Mandal, Son of Shyam Bahadur Mandal.
7. Jitan Mandal, Son of Shyam Bahadur Mandal.
8. Raja Mandal, Son of Shyam Bahadur Mandal.
9. Sharwan Mandal, Son of Shyam Mandal.
10. Kasturi Devi, Wife of Shyam Bahadur Mandal.
11. Kanchan Devi, Wife of Jitan Mandal.
12. Niral Devi, Wife of Bablu Mandal, All resident of Village- Gora, P.S.- Biraul, District- Darbhanga (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-08-2018 The petitioners are apprehending their arrest in connection with Biraul P.S. Case No. 434 of 2017, registered for offences punishable under Sections 147, 148, 341, 323, 324, 354, 379 and 504 of the Indian Penal Code.

Allegation against the petitioners that while the informant along with her family members constructing the hut, the petitioners armed with various weapons arrived and alleged to have assaulted the informant and her family members and



petitioner no. 6 Bablu Mandal gave Khanti blow on the head of one Kunti Devi.

Submission of learned counsel for the petitioners is that no specific allegation has been attributed to the petitioners except petitioner Bablu Mandal and there is case and counter case between the parties and land dispute is there.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstance of the case, so far prayer for anticipatory bail of petitioner no. 6 Bablu Mandal is concerned, I am not inclined to grant him the privilege of anticipatory bail.

So far other petitioners are concerned, in view of the above facts, let the petitioners 1 to 5 and 7 to 12, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M, Biraul, Darbhanga, in connection with Biraul P.S. Case No. 434 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the 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 shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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