

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22184 of 2018

Arising Out of PS.Case No. -371 Year- 2017 Thana -CHAUSA District- MADHEPURA

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1. Dashrath Mandal, S/o Late Tejo Mandal
 2. Hulla Mandal S/o- Dashrath Mandal
 3. Anirudh Mandal @ Anrud Mandal S/o Dashrath Mandal
 4. Bideshi Mandal S/o Sukdeo Mandal
 5. Kallar Mandal S/o Late Tejo Mandal
 6. Bilash Mandal S/o Kallar Mandal
 7. Chhanguri Devi, W/o Ayodhi Mandal
 8. Sulekha Devi, W/o Anirudh Mandal
 9. Leela Devi W/o Kallar Mandal
- All Resident of Village- Manoharpur, P.S.- Chausa, District- Madhepura.

.... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Chausa P.S. Case No. 371 of 2017 registered under
Sections 341, 323, 379, 504, 506 read with 34 of the Indian



Penal Code and Section 27 of the Arms Act.

It is submitted by the learned counsel for the petitioners that there is a case and counter case between the parties and the instant case has been registered just in order to create defence by the informant in Chausa P.S. Case No.372 of 2017. It is further submitted that in the first information report the allegation of assault caused to the informant by the butt of the gun is against Ayodhi Mandal and so far as the other accused persons are concerned, there is only vague and omnibus allegation that they all were armed with *lathi*, *danda* etc. and had blocked the movement of the tractor.

On the other hand, learned counsel for the State submitted that from perusal of the first information report, it would appear that co-accused Kallar Mandal, Bideshi Mandal had also assaulted the brother of the informant Jaikant Singh and one Indradeo Kumar.

In reply, learned counsel for the petitioners submitted that save and except Section 379 IPC and 27 of the Arms Act, all other offences are bailable in nature.

Considering the nature of allegation and the submissions made above, in the event of arrest or surrender in



the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Udakishunganj at Madhepura in connection with Chausa P.S. Case No. 371 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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