

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23469 of 2018

Arising Out of PS. Case No.-266 Year-2017 Thana- BARHARA District- Purnia

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1. Wakil Mandal, S/o Late Mahabir Mandal,
 2. Manoj Mandal S/o Wakil Mandal, Both R/o Vill.- Jaynagra Sah Tole, P.S.- Barhara, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 16-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Barhara P.S. case no. 266 of 2017 instituted for the offence under Section(s) 147,148, 149, 448, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is land dispute between the parties. Petitioner no.1 and informant are full brother. Petitioner no.2 is son of petitioner no.1. It is mentioned in para 3 of bail petition that petitioners have clean antecedents.

Allegation in the written report is that petitioner no.1 assaulted the informant with sword on his head. There is no any specific allegation levelled against petitioner no.2,

Case diary has been received. There is no injury report available in the case diary. The learned Sessions Judge , Purnea has



also not mentioned any injury on the person of the injured in the impugned order.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Barhara P.S. case no. 266 of 2017, 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 the ACJM- II Purnea, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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.

(Sanjay Priya, J)

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