

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5642 of 2018

Arising Out of PS. Case No.-352 Year-2017 Thana- KUDHNI District- Muzaffarpur

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1. Jayram Mahto @ Suresh Mandal, Son of Late Vanshi Mahato.
 2. Ram Balak Mandal, son of Lakhandeo Mandal.
 3. Manju Devi, wife of Jayram Mahto alias Suresh Mandal.
 4. Prem Kumar alias Anshu. Son of Jayram Mahto, All residents of Village- Kazipur, Police Station- Doriganj, District- Saran at present Village- Bakarpur, Police Station Kurhni (Turki O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Najmul Hoda, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7 28-03-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kurhni (Turki O.P.)
P.S. Case No. 352 of 2017, instituted for the offence under
Sections 323,341,342,406 and 420 of the IPC.

Learned counsel for the petitioners has submitted that the
instant case is a counter blast of Kurhni(Turki) P.S. Case No.
194 of 2017 filed by petitioner no. 1 against the informant and
other family members on 18.05.2017. In the instant case,
allegation has been made that petitioner no. 1 is a petty
contractor, who took the informant to Bombay for work. The
informant worked there for about 5 months and he was paid
only fooding charges. Thereafter, on protest, petitioner no. 1



agreed to make payment at the rate of Rs. 12,000/- per month. The informant made demand of dues, then petitioner no. 1 and other accused persons assaulted him and refused to make payment.

As such, from the nature of allegation against petitioners, the civil remedy is available to the informant.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Kurhni(Turki O.P.)P.S. Case No. 352 of 2017, to the satisfaction of the learned Judicial Magistrate 1st Class, Muzaffarpur, subject to condition as laid down under Section 438(2) of the Cr.P.C. with further conditions (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 bonds of the petitioners and (3) if the petitioners



tampers 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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