

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.170 of 2018

Arising Out of PS. Case No.-52 Year-2017 Thana- KAHALGAON District- Bhagalpur

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1. Arbind Mandal @ Arbind Kumar Mandal, Son of Late Kapoori Mandal,
 2. Amal Kumar alias Guddu, Son of Jitendra Mandal @ Jitendra Prasad Mandal,
 3. Pritam Kumar, Son of Ashok Mandal,
 4. Chandan Kumar, Son of Sanjeet Mandal @ Sanjay Mandal.
- All resident of Village- Harchandpur, P.S.- Kahalgaon, in the district of Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Prasad Roy
For the Opposite Party/s : Mr. DR. KUMAR UDAY PRATAP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 29-03-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kahalgaon P.S. Case No. 52 of 2017 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

The allegation against the accused persons is assaulting the deceased person, who happens to be the brother of the informant resulting in his death.

The learned counsel for the petitioners submits that the main accused is Mahendra Mandal, who had in fact put the towel around the neck of the deceased,



whereafter, the other accused persons are said to have assaulted the deceased resulting in the death of the deceased. The learned counsel refers to the postmortem report and submits that though, there might be some possibility of death by strangulation, but there is no injury on the person of the deceased as well as at least, the petitioners herein cannot be said to have been involved in the alleged crime. It is further submitted that the petitioners have a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, 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, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon P.S. Case No. 52 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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