

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27238 of 2018

Arising Out of PS.Case No. -49 Year- 2016 Thana -GURUA District- GAYA

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1. Laxman Mandal, son of Bindeshwar Mandal.
 2. Lakhan Mandal, son of Bindeshwar Mandal.
 3. Lalan Mandal, Son of Late Bigu Mandal, All resident of Village-
Chansi, P.S.- Gurua, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anil Kumar Saxena

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Gurua P.S. Case No. 49 of 2016 registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

The allegation is regarding the accused persons having assaulted the son of the informant whereafter the son of the informant was found lying in an injured condition in front of the house of one co-accused namely Laxman Mandal. The son of the informant is said to have disclosed to the police that the petitioners and other accused persons had assaulted him.

The learned counsel for the petitioners submits that in



order to save his skin the victim boy has implicated the petitioners herein with oblique motive since he had committed rape upon the sister of the petitioner no. 1 and the victim boy is an accused in Mahila P.S. Case No. 30 of 2016 dated 12.05.2016 for the offences punishable under Sections 376, 511/34 of the Indian Penal Code and Section 8 of the POCSO Act and Section 3 (x) (xi) of the Scheduled Caste / Scheduled Tribe (Prevention of Atrocities) Act. It is further submitted that the petitioners are having a clean antecedent and there is no other material apart from the statement of the victim boy to connect the petitioners with the alleged crime. The petitioners are stated to be languishing in custody since 08.1.2018.

Having regard to the facts and circumstances of the case, the petitioners, above named, are directed to be released on 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 Judicial Magistrate, 1st Class, Sherghati at Gaya in connection with Gurua P.S. Case No. 49 of 2016.

(Mohit Kumar Shah, J)

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