

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1629 of 2018

Arising Out of PS.Case No. -54 Year- 2017 Thana -BANDHUWA KURAWA District- BANKA

- =====
1. Dilip Mandal, Sahdeo Mandal @ Badri Mandal,
 2. Kamdeo Mandal, S/o Kailash Mandal, Both R/o Village- Saraiya, P.S.-
Randhuwa Kurawa, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 11-01-2018

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 504 of the Indian Penal Code.

The prosecution case as per the written report of the informant, Hafiz Ansari is to the effect that on 07.09.2017 when the informant reached near the house of petitioner no. 2 Kamdeo Mandal at 7.00 P.M. the accused persons started abusing the informant for dispute with regard to the money. It is further alleged that on protest, the petitioners assaulted the informant with rod and when the cousin brother of



the informant came to his rescue then the mother of petitioner no. 1 and co-accused Sunil Mandal assaulted him.

It is submitted by learned counsel for the petitioners that the petitioners' side lodged Bandhuwakuraba P.S. Case No. 53 of 2017 with accusation under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code at earlier point of time. The injury of the informant has been found to be simple. The accusation of assaulting the cousin brother of the informant is against the mother of petitioner no. 1 and co-accused Sunil Mandal. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the accusation of assault is not specific against the petitioners.

Considering the accusation being not corroborated with the medical opinion, case lodged by the petitioners' side at earlier point of time and a statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of



Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Banka in connection with Bandhuwakuraba P.S. Case No. 54 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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