

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28144 of 2018

Arising Out of PS. Case No.-218 Year-2016 Thana- BAJPATTI District- Sitamarhi

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1. Biltu Mandal son of Late Ram Awatar Mandal
 2. Prabhu Mandal son of Chandu Mandal
 3. Chandu Mandal @ Chandeshwar Mandal son of Late Ramdhari Mandal
 4. Shila Devi wife of Ram Jiwan Mandal
 5. Mantoria Devi wife of Biltu Mandal All residents of Village - Chakmahmadpur, Police Station - Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prakash Shrarma, Adv.
For the Opposite Party/s : Smt. Rita Verma, APP 126

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-05-2018 Heard the learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Bajpatti P.S. Case No. 218 of 2016 registered for offences punishable under Sections 147, 149, 341, 323, 324, 354, 379, 504 and 506 of the Indian Penal Code and 3 and 4 of the Witch Craft Act.

Allegation against the petitioner no. 1 is of assaulting by knife on head and so far as petitioners no. 2 to 5 are concerned there is general and omnibus allegation.

Submission of the learned counsel for the petitioners is that the allegation of assault by iron rod is against Ramji Mandal and Ram Pujan Mandal, who are not the petitioners



here. The learned counsel for the petitioners submits that except Sections 354 and 379 of the Indian Penal Code all sections areailable. Both the parties are neighbour and due to petty dispute the occurrence took place.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, named above, in the event of arrest or surrender before the Court below, within a period of six weeks from the date of order, be released on bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty-five thousand) each with two sureties of the like amount each to the satisfaction of the learned Subdivisional Judicial Magistrate, Pupri, Sitamarhi, in connection with Bajpatti P.S. Case No. 218 of 2016 subject to the condition as laid down under Section 438(2) of the Criminal Procedure Code as well as with following conditions :

(I) One of the bailors of the petitioners shall be a local person, having sufficient immovable property within the jurisdiction of the concerned Court.

(II) The petitioners will not induce any witness or tamper with evidence.

(III) The petitioners shall co-operate in the



investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bonds.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

Shamshad/-

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