

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17975 of 2018

Arising Out of PS.Case No. -88 Year- 2016 Thana -BAHERI District- DARBHANGA

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1. Manoj Mandal @ Manoj Kumar, S/o Laxman Mandan @ Laxman Mandal,
2. Sonadai Devi @ Sona Devi W/o Laxman Mandal , Both are R/o Village-
Bara, P.S.- Baheri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesch Kumar

For the Opposite Party/s : Mr. Arun Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER**

2 10-04-2018

Heard both sides.

The petitioners apprehend their arrest in Baheri P.S.
Case No.88 of 2016 registered under Sections 447, 341, 323, 324,
504, 506, 379 and 34 of the Indian Penal Code.

The informant named the petitioners along with other
accused persons and alleged that they having armed with different
weapons forcibly made their entrance in the house. Laxman
Mandal assaulted the informant with farsa on his head. The
informant got injury and fell down after becoming unconscious.
His mother, Rajo Devi and father, Ram Chander Mandal were also
brutally assaulted.

The learned counsel for the petitioners submits that
there is no specific allegation of assault against Sonadai Devi,



petitioner no.2 and Manoj Mandal @ Manoj Kumar, petitioner no.1. Manoj Kumar is alleged to have snatched Mangalsutra and ear tops. It is further submitted that police after investigation submitted final form finding the case false against both the petitioners and submitted chargesheet against other accused persons finding the case true but the cognizance of the offence was also taken against the petitioners.

Having considered the facts that there is no specific allegation of assault against both the petitioners and the police after investigation submitted final form finding the accusation against both the petitioners false, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Darbhanga in connection with Baheri P.S. Case No.88 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Saurabh/-

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(Prabhat Kumar Jha, J)