

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31266 of 2018

Arising Out of PS. Case No.-29 Year-2018 Thana- BELDAUR District- Khagaria

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1. Munna Kumar Son of Ashok Mandal @ Ashok Kumar
 2. Ashish Kumar Son of Ram Sharan Singh
 3. Ashok Mandal@ Ashok Kumar Son of late Shiv Nandan Mandal
All Residents of Village- Mahinath Nagar, P.S. Beldour, District-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Sri Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 28-06-2018 Heard the learned counsel for the petitioners
and the State.

The petitioners seek bail in anticipation of their arrest in connection with Beldour P.S. Case No. 29 of 2018 dated 18.02.2018 instituted for the offences under Sections 224, 225, 353, 332 and 333/34 of the Indian Penal Code.

It has been alleged in the FIR that while the police party had gone to the village of the petitioners in search of the accused persons of Beldour P.S. Case No. 27 and 28 of 2018, they also tried to look for petitioner no. 3 who had been absconding from a certificate case. Petitioner no. 3, it has been alleged, was arrested but somehow or the other he could manage to come out of the net of the police party. Thereafter, it has been alleged that on the orders of petitioner no. 3, other persons including petitioner no. 1 and 2 tried to assault



the police party and also made an attempt to snatch a rifle from them.

Learned counsel for the petitioners has submitted that an absolutely false case has been lodged by the police party. Nobody has been hurt in the occurrence. The purpose of the visit of the police party in the concerned village was to arrest the accused persons of Beldour P.S. Case No. 27 and 28 of 2018. There was no reason for the police party to have arrested petitioner no. 3, who is only facing a certificate case in which he has not been appearing for some time.

Considering the nature of accusation and the aforesaid facts the petitioners above named are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Beldour P.S. Case No. 29 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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