

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58310 of 2017

Arising Out of PS.Case No. -354 Year- 2017 Thana -JAGDISHPUR District- BHAGALPUR

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1. Gocho Mandal, Son of Late Bhoni Mandal,
2. Sarun Mandal, Son of Kakresh Mandal.
3. Umesh Tanti @ Umesh Mandal @ Umesh Kumar Mandal, Son of Jagdish Tanti,
4. Pairu Mandal @ Parsuram Mandal, Son of Kakresh Mandal. All are resident of Village- Babhangama, P.S.- Goradih, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Jagdishpur (Goradih) P.S. Case No. 354 of 2017 instituted for the offence under Section-307, & other minor Sections of the Indian Penal Code.

The allegation against petitioner No. 3 is that he assaulted on the back and near shoulder of informant with iron rod and petitioner No. 4 is said to have assaulted the brother of the informant with iron rod on left arm. There is no specific allegation of assault against petitioner Nos. 1 & 2.

Counsel for the informant has appeared and submitted that earlier also occurrence of assault was done by petitioner for which Jagdishpur (Goradih) P.S. Case No. 52 of 2000 was filed for offence



under Sections-307/34 of the Indian Penal Code.

It has been mentioned by the petitioners that in the aforesaid case, police has submitted final form after finding the case false on 08-03-2002.

The injury report of informant and Shobhit Mandal has been enclosed as Annexure-2 series wherein the doctor has found no bony injury on the person. It has further been submitted that there is case and counter case between the parties. Petitioner No. 3 Umesh Tanti has also filed a case as Jagdishpir (Goradih) P.S. Case No. 355 of 2017 against the informant and others.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Jagdishpur (Goradih) P.S. Case No. 354 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will liable to cancel bail bond of the petitioners and (3) if petitioners tamper with the



evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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