

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24988 of 2018

Arising Out of P.S.Case No. -274 Year- 2016 Thana -JOKIHAT District- ARRARIA

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1. Bhuwneshwar Prasad Biswas, S/o Amirchand Biswas
2. Ranjeet Kumar Biswas @ Ranjeet Kumar, S/o Bhuwneshwar Prasad Biswas
3. Raj Kumar Mandal, S/o Surti Mandal
4. Naresh Kumar Mandal @ Naresh Kumar, S/o Late Ajab Lal Mandal. null
5. Rinku Kumar Mandal, S/o Late Ashok Kumar Mandal,
6. Basudeo Mandal, S/o Late Khublal Biswas
7. Dayanand Mandal, S/o Janak Lal, All residents of Village- Chakai, P.S. Jokihat, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-06-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Jokihat P.S.Case no.274 of 2016 , registered for offences punishable under Sections 147, 148, 149, 452, 341, 323, 307, 354(B), 380, 427, 436, 504 & 506 of the Indian Penal Code.

Allegation against the petitioners and the other accused persons is of coming over the house of the informant and assaulting '*bhabhi*' of the informant and also setting the house on fire.

Submission of the learned counsel for the petitioners is that there is delay of three days in lodging the F.I.R. No specific allegation has been attributed against any of the petitioners and



there is case and counter case between the parties.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that petitioner, Bhuneshwar Prasad Biswas is the order-giver and at his instance, the occurrence has taken place.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, 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 bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sri Amit Mannu, ACJM, Araria in connection with Jokihat P.S.Case no.274 of 2016, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

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 the 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 their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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