

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52458 of 2018

Arising Out of PS.Case No. -353 Year- 2018 Thana -FORBESGANJ District- ARRARIA

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1. Ripu Kumar, S/o Suresh Mandal,
 2. Suresh Mandal S/o Late Ramphal Mandal,
 3. Dayanand Mandal S/o Jagdish Mandal,
 4. Dharti Devi, W/o Dayanand Mandal,
 5. Rekha Devi, W/o Suresh Mandal, All R/o Vill.- Aurahi Hinga, P.S.- Simrahi, District- Araria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Mukesh Kumar Rana, Advocate.
For the Opposite Party : Mr. Narsingh Tanti, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 447, 341, 323, 324, 325,
307, 379 and 504/34 of the IPC.

The prosecution story, in brief, is that the informant
and his co-shares were coming in peaceful possession over their
respective allotted land but on 13.05.2018 at 10.00 A.M. the
accused persons named in the F.I.R. armed with deadly weapons
came at the place of occurrence and started abusing and further
told to vacate the land and petitioner no. 3 Dayanand Mandal gave



order to kill and then petitioner no. 1 Ripu Kumar inflicted *Farsa* blow on the head of Sudhir Mandal causing head injury and bleeding. The petitioner no. 5 Rekha Devi took away cash of Rs. 10,000/- kept in the house and co-accused Meena Devi snatched the Mobile. The injured brought to Forbesganj Referral Hospital and from where referred to Purnea for better treatment.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out in the present case. No specific overt act has been alleged against petitioner nos. 2 to 5. It is case and counter case between the parties.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Araria, in connection with Forbesganj (Simraha) P.S. Case No. 353/2018,



subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

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(Sudhir Singh, J)

