

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10558 of 2018

Arising Out of PS.Case No. -51 Year- 2017 Thana -HATHAURI District- SAMASTIPUR

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1. Suresh Mandal @ Suresh Prasad Singh, Son of Late Jageshwar Mandal @ Late Jageshwar Singh,
2. Manish Mandal @ Manish Kumar, Son of Suresh Manal, All resident of Village- Ramaul, P.S.- Hathauri (Shivajee Nagar O.P.), District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-04-2018

Heard the parties.

The petitioners are apprehending their arrest in Hathauri P.S.Case No. 51 of 2017 registered for offences punishable under Sections 447, 341, 323, 324, 307, 354, 379 and 34 of the Indian Penal Code.

Allegation against the petitioners is of assaulting the informant, her husband and sons.

Submission of the learned counsel for the petitioners is that there is a case and counter case between both the sides and injuries are not grievous in nature, it is only on the palm of the body that is not the vital part of the body. It is also submitted that the



accusation against the petitioners is of omnibus and general nature and similarly situated co-accused persons have been granted bail by a Co-ordinate Bench of this Court vide order dated 21.12.2017 passed in Cr. Misc. No. 61755 of 2017 and vide order dated 18.12.2017 passed in Cr. Misc. No. 58031 of 2017.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioners in the event of their 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 bonds of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- II, Rosera, District- Samastipur in connection with Hathaur P.S.Case No. 51 of 2017, subject to the condition that 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.

(Vinod Kumar Sinha, J)

Sudha/-

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