

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41749 of 2018

Arising Out of PS. Case No.-104 Year-2018 Thana- TRIVENIGANJ District- Supaul

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1. Bijendra Mandal @ Bijen Mandal , Son of Sadanand Mandal,
 2. Md. Ali Sher Alam, Son of Md. Shamim, Both are resident of Village- Lachhminiya, P.S.- Tribeniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta

For the Opposite Party/s : Mr. Sri Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Tribeniganj P.S. case no. 104 of 2018 instituted for the offence under Section(s) 147, 148, 149,341, 323,332,333, 307, 353, 504, 427 and 431 of the Indian Penal Code and Section 3 of Prevention of Damage to Public Property Act, 1984.

Learned counsel for the petitioners has submitted that they are not named in the written report. The name of these petitioners have surfaced in the instant case on the basis of confessional statement of co-accused Shankar Rishideo.

In the written report, it is alleged that one dead body was found near the Lachhminiya river bridge and several people have gathered there. The police party arrived then they surrounded the



police party and abused the police party. They also assaulted with *lathi* and *danda*.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Tribeniganj P.S. case no. 104 of 2018 , they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the ACJM-1 Supaul, subject to the conditions as laid down under Section 438(2) 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 automatically 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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