

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5691 of 2019

Arising Out of PS. Case No.-462 Year-2018 Thana- KAHALGAON District- Bhagalpur

1. Rajeev Mandal @ Rajeev Kr. Mandal , son of Gopal Mandal R/o Vill.- Ogri, P.S- Kahalgoan, Distt.- Bhagalpur.
2. Mithilesh Mandal @ Mithilesh Kumar Mandal Son of Rajendra Mandal Resident of Village/ Mohalla- Ogri, P.S.- Kahalgoan, Distt.- Bhagalpur.
3. Rajendra Mandal Son of Late Ramphal Mandal Resident of Village/ Mohalla- Ogri, P.S.- Kahalgoan, Distt.- Bhagalpur.
4. Gopal Mandal son of Late Ramphal Mandal Resident of Village/ Mohalla- Ogri, P.S.- Kahalgoan, Distt.- Bhagalpur.
5. Nitish Kumar Son of Rajendra Mandal Resident of Village/ Mohalla- Ogri, P.S.- Kahalgoan, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 07-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 326, 324, 325,379/34 IPC registered in connection with Kahalgaon P.S. Case No. 462 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute for drain water and there is case and counter case between the parties. Reference has been invited to order of learned 5th Additional Sessions Judge, Bhagalpur, from which it transpires that the injury report is vague in nature and does not contain any injury. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



each with two sureties of like amount each to the satisfaction of learned CJM, Bhagalpur, in connection with Kahalgaon P.S. Case No. 462 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

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