

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16023 of 2019

Arising Out of PS. Case No.-377 Year-2016 Thana- KRITYANAND NAGAR District-
Purnia

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1. Mangan Mahaldar Son of Late Arjun Mahaldar
 2. Bishundeo Mahaldar Son of Late Sukhdeo Mahaldar
 3. Prakash Kumar Mahaldar @ Prakash Mahaldar Son of Mangan Mahaldar
 4. Umesh Mahaldar Son of Arjun Mahaldar
 5. Manik Chand Mahaldar Son of Late Sukhdeo Mahaldar
 6. Rabita Devi Wife of Bishundeo Mahaldar
 7. Nirmala Devi Wife of Arun Mahaldar
 8. Renu Devi Wife of Mangan Mahaldar
 9. Rinku Devi @ Rinki Devi Wife of Umesh Mahaldar, all Resident of Village-
Jhunni Kalka Balu Ghat, P.S. K.Nagar, District-Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 147, 148, 149, 452, 341, 342, 324,
307, 354, 379, 380, 506 of the Indian Penal Code.

The prosecution case, in short, is that the accused
persons including the petitioners armed with lathi, iron rod
entered into the house of the informant and started assaulting



her. In the meantime, son of the informant, namely, Binod Mahaldar, Pramod Mahaldar and daughter-in-law Lalita Devi tried to save her, then petitioner Bishundeo Mahaldar with intention to kill assaulted on the head of Binod Mahaldar with iron rod, due to which he sustained injury and fell down. Petitioner Manik Chand Mahaldar and Mangal Mahaldar assaulted with lathi on the head of Prmoad Mahaldar. Arun Mahaldar assaulted with iron rod to Lalita Devi on her right chick and he snatched golden chain of Lalita Devi. Petitioners Rabita Devi, Rinku Devi and Renu Devi took away Rs.20,000/-, ornaments and document from the house.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made. No specific allegation has been made against the petitioners. Petitioners No.6 to 9 are ladies.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. There is specific allegation against the petitioner No.2, who has caused grievous injury upon the victim.



Considering the aforesaid facts and circumstances, let the petitioners No.1 and 3 to 9, above named, in the event of arrest/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) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Purnea in connection with K. Nagar P.S. case No.377 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far the petitioner No.2 is concerned, I am not inclined to grant anticipatory bail to him. The same is rejected.

If the petitioner No.2 surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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