

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17689 of 2019

Arising Out of PS. Case No.-646 Year-2018 Thana- COMPLAINT CASE District- Jamui *

1. ASHOK MANDAL Son of Late Dhobi Mandal Resident of Village-Ranikura, P.S.-Jhajha, District-Jamui.
2. Babulal Mandal Son of Late Dhobi Mandal, Resident of Village-Ranikura, P.S.-Jhajha, District-Jamui.
3. Kaleshwari Devi W/o Ashok Mandal, Resident of Village-Ranikura, P.S.-Jhajha, District-Jamui.
4. Basant Mandal S/o Ashok Mandal, Resident of Village-Ranikura, P.S.-Jhajha, District-Jamui.
5. Parwati Devi W/o Basant Mandal Resident of Village-Ranikura, P.S.-Jhajha, District-Jamui.
6. Koshila Devi W/o Babulal Mandal, Resident of Village-Ranikura, P.S.-Jhajha, District-Jamui.
7. Sudama Mandal @ Sudama kumar Mandal S/o Babulal Mandal, Resident of Village-Ranikura, P.S.-Jhajha, District-Jamui.
8. Fulwa Devi @ Falwa Devi W/o Sudama Mandal, Resident of Village-Ranikura, P.S.-Jhajha, District-Jamui.

... .. Petitioners

Versus

1. THE STATE OF BIHAR
2. Meena Devi W/o Ram Prasad Mandal, Resident of Village-Ranikura, P.S.-Jhajha, District-Jamui.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-03-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Complaint Case No. 646C of 2018 for the offence under
Sections 323, 341, 379 and 504/34 of the Indian Penal Code,
Section 27 of the Arms Act and Sections 3, 4 and 10 of the



Daain Act.

Learned counsel appearing on behalf of the petitioners submits that since the matter arises out of a complaint case and there is no requirement of the petitioner's custody during the pendency of the criminal case, they should be allowed privilege of anticipatory bail. It has also been argued that the petitioners and the complainant are co-villagers and their implication is malicious. Delay of three days in filing the complaint petition has also not been duly explained in the complaint petition, which also casts suspicion on the case of the prosecution, he contends.

Learned counsel appearing on behalf of the complainant has vehemently opposed the prayer of anticipatory bail. He has submitted that considering the serious nature of the allegation, the petitioners should not be allowed the privilege of anticipatory bail.

However, considering the nature of accusation made in the complaint petition, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on 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 learned A.C.J.M., Jamui, in Complaint Case No. 646C of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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