

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17357 of 2019

Arising Out of PS. Case No.-171 Year-2018 Thana- GWALPARA District- Madhepura

1. SHRAWAN MANDAL Son of Late Bindeshwari Mandal Resident of Village- Jot Manohar, Balliya, Basa, P.S.- Gwalpara, District- Madhepura
2. Mantoshi Mandal @ Mantosh Mandal Son of Late Bhumi Mandal Resident of Village- Jot Manohar, Balliya Basa, P.S.- Gwalpara, District- Madhepura.
3. Santosh Mandal Son of Late Bhumi Mandal Resident of Village- Jot Manohar, Balliya Basa, P.S.- Gwalpara, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr. Satendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

4 25-06-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Gwalapara Police Station Case No. 171 of 2018, disclosing offences under Sections 341/323/384/307/427/504/506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners is that the petitioners, along with 10-12 unknown persons, started ploughing the field of the informant forcibly and upon protest, fire was made, but the bullet did not hit the informant, rather, it hit the cow, who died.

Learned Counsel for the petitioners submits that no specific allegation of firing is upon the petitioners and the



allegation is general and omnibus. The allegation of bullet injury on the cow is also not on the petitioners.

After having heard learned Counsel for the parties and taking into consideration the facts and circumstances of the case, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhepura, in connection with Gwalapara Police Station Case No. 171 of 2018, subject to the condition 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.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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