

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21074 of 2019

Arising Out of PS. Case No.-725 Year-2017 Thana- NATHNAGAR District- Bhagalpur

1. BICHHO MANDAL Son of Late Dharmi Mandal Resident of Mohalla- Sant Nagar, Hanumanghat, P.S.- Barari, District- Bhagalpur.
2. Anil Mandal Son of Ayodhya Mandal Resident of Mohalla- Sant Nagar, Hanumanghat, P.S.- Barari, District- Bhagalpur.
3. Dinesh Mandal Son of Bouka Mandal Resident of Mohalla- Jhauwakothi, P.S.- Barari, District- Bhagalpur.
4. Dashrath Yadav Son of Poli Yadav Resident of Mohalla- Jhauwakothi, P.S.- Barari, District- Bhagalpur.
5. Sinku Yadav Son of Dashrath Yadav Resident of Mohalla- Jhauwakothi, P.S.- Barari, District- Bhagalpur.
6. Pinku Yadav Son of Dashrath Yadav Resident of Mohalla- Jhauwakothi, P.S.- Barari, District- Bhagalpur.
7. Rakesh Mandal Son of Fudo Mandal Resident of Village- Shankarpur, P.S.- Parbatta, District- Bhagalpur.
8. Buchhi Devi @ Buchcho Devi Wife of Fudo Mandal Resident of Village- Shankarpur, P.S.- Parbatta, District- Bhagalpur.
9. Krishna Devi Wife of Dinesh Mandal Resident of Mohalla- Jhauwakothi, P.S.- Barari, District- Bhagalpur.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Ranjan Kumar Jha, Advocate.
		Mr. Mirtyunjay Kumar Mishra, Advocate.
For the State	:	Mr. Indra Kumar Singh, A.P.P.
For the Informant	:	Mr. Diwakar Upadhyaya, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 06-08-2019 Let the supplementary affidavit filed on behalf of the petitioners be kept on the record.

Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the



informant.

The petitioners apprehend their arrest in connection with Nath Nagar P.S. Case No.725 of 2017 registered under Sections 341, 323, 365, 307, 354(B), 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that on 02.12.2017, the informant along with his wife had gone to see the crop at his field and, thereafter, the informant leaving his wife went to see another field. At that time, 14 persons, named in the F.I.R., including the petitioners came at the field of the informant and caught hold of the wife of the informant. Thereafter, the petitioner no.1, petitioner no.2, petitioner no.3, Ajay Yadav, petitioner no.4 and Legra Yadav caused injury through the butt of the gun and rifle to the wife of the informant and the petitioner no.1 untied her Saree and petticoat and took the silver chain and Rs.5000/- from the wife of the informant, whereas the petitioner no.2 snatched the earring of both the ears of the wife of the informant and the petitioner no.4 snatched her mobile. After that, Bhim Mandal, Ramjit Mandal and Rakesh Mandal started taking away the wife of the informant towards Ganga. On the alarm being raised by the informant, they fled away leaving the wife of the informant.



Learned counsel for the petitioners submits that while the allegation has been made in the F.I.R. against the petitioner nos.1, 2, 3, 4 and others to cause injury to the wife of the informant through the butt of the gun and rifle but only one injury was found on the person of the wife of the informant, which is simple in nature. In respect to the land, as detailed in the F.I.R., title suit is pending between the parties. While some of the petitioners are accused in some others cases, as detailed in paragraph-3 to this application, but in that cases they are on bail.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Bhagalpur, in connection with Nath Nagar P.S. Case No.725 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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