

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24334 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- BARHARA KOTHI District- Purnia

1. MANNU MANDAL Son of Late Kishan Mandal Resident of Village- Sukhsena, Ram Bajju Tola, P.S.- Barhara, District- Purnea.
2. Ghanshyam Mandal Son of Mannu Mandal Resident of Village- Sukhsena, Ram Bajju Tola, P.S.- Barhara, District- Purnea.
3. Lakho Devi wife of Mannu Mandal Resident of Village- Sukhsena, Ram Bajju Tola, P.S.- Barhara, District- Purnea.
4. Kavita Devi @ Lalita Devi Wife of Ghanshyam Mandal Resident of Village- Sukhsena, Ram Bajju Tola, P.S.- Barhara, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341,323, 325, 307,354,504 and 506/34 IPC registered in connection with Barhara P.S. Case No. 30 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute between the parties. There is delay in institution of the FIR on 05.02.2019 for the alleged occurrence of 03.02.2019. The petitioners nos. 1 and 3 are accused in one prior case, in which they are on bail, while petitioner nos. 2 and 4 claim clean antecedents.

4. Considering that petitioner nos. 3 and 4 are ladies and no specific accusation of assault has been made against them, in the event of arrest or surrender by petitioner nos. 3 and 4 before the court below within six weeks from the date of communication of this order, let the



above named petitioner nos. 3 and 4 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 ACJM II, Purnea, in connection with Barhara P.S. Case No. 30 of 2019, 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 petitioner nos. 3 and 4.

ii. That the petitioner nos. 3 and 4 shall not indulge in any similar offence till conclusion of the trial.

iii. That the petitioner nos. 3 and 4 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 petitioner nos. 3 and 4 shall be well represented 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.

5. As regards petitioner nos. 1 and 2, considering that the informant's husband Kharvind Mandal has sustained grievous injuries as noticed in the order of learned Sessions Judge, this Court is not inclined to grant the privilege of anticipatory bail to petitioner nos. 1 and 2. The petition as against them stands dismissed.

(Vikash Jain, J)

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