

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31794 of 2019**

Arising Out of PS. Case No.-941 Year-2018 Thana- FORBESGANJ District-
Araria

- =====
1. DEEPAK THANDAR @ DEEPAK KUMAR THANDAR Son of Jai Prakash Thandar Resident of Village- Amhara Ward No. 12, P.S.- Forbesganj, District- Araria.
 2. Bipin Mandal Son of Ashok Mandal Resident of Village- Kamta Ward No. 6 P.S.- Forbesganj, District- Araria.
 3. Durganand Bishwas Son of Late Ganesh Bishwas Resident of Village- Rangdaha, P.S.- Forbesganj, District- Araria.
 4. Krishna @ Kishan Mandal Son of Tej Narayan Mandal Resident of Village- Baijnathpur, P.S.- Simraha, P.S.- Forbesganj, District- Araria.
 5. Sheela Devi Wife of Jai Prakash Thandar Resident of Village- Amhara Ward No. 12, P.S.- Forbesganj, District- Araria.
 6. Bandana Devi Wife of Om Prakash Thandar Resident of Village- Amhara, Ward No. 12, P.S.- Forbesganj, District- Araria.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 08-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 379, 504, 307, 506 of the Indian Penal Code registered in connection with Forbesganj P.S. Case No. 941 of 2018.

3. It is submitted that the petitioners have been falsely



implicated in the backdrop of land dispute and there is case and counter case between the parties. No specific overt act whatsoever of assault has been alleged against the petitioners who are merely said to be the members of the mob. Statement is made at the Bar that the prior cases in which the petitioners are accused have been lodged at the instance of the informant's side.

4. Learned APP assisted by learned counsel for the informant appears and has been heard.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners 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 Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 941 of 2018, 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 petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate 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) That the petitioner nos. 5 and 6 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present and petitioner nos. 1, 2, 3, and 4 shall remain physically present in court on each and every date, 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.

(Vikash Jain, J)

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