

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31409 of 2019

Arising Out of PS. Case No.-303 Year-2018 Thana- CHAUSA District- Madhepura

1. DEVBRAT MANDAL Son of Sahdeo Mandal Resident of Village - Tapuwa Tola, P.S.- Chousa, District - Madhepura.
2. Birendra Mandal Son of Late Saryug Mandal Resident of Village - Tapuwa Tola, P.S.- Chousa, District - Madhepura.
3. Hira Lal Mandal Son of Late Saryug Mandal Resident of Village - Tapuwa Tola, P.S.- Chousa, District - Madhepura.
4. Pankaj Mandal Son of Dilip Mandal Resident of Village - Tapuwa Tola, P.S.- Chousa, District - Madhepura.
5. Chano Mandal Son of Late Gaina Mandal Resident of Village - Tapuwa Tola, P.S.- Chousa, District - Madhepura.
6. Kailash Mandal Son of Late Ram Charan Mandal Resident of Village - Tapuwa Tola, P.S.- Chousa, District - Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Sah
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 10-05-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chousa P.S. Case No. 303 of 2018, corresponding to G.R. No. 1396 of 2018 registered for the offence punishable under Sections 147, 148, 385, 427, 379, 504, 506 of the Indian Penal Code and U/s 27 of the Arms Act.

Petitioner Devbrat Mandal along with several other



accused persons including petitioner no.2 to 6 have demanded Rs.2,00,000/- from the Mukhiya for construction of the P.C.C road and on failure all the accused persons damaged the constructed road and took away 25 bags of cement.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have no concern with the aforesaid occurrence. They have been falsely implicated in this case. There is case and counter case. Petitioner Devbrat Mandal happens to be owner of the land over which the passage have been forcibly constructed. The name of the grand father of the said petitioner is recorded in the revenue record over the said land. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent. Similarly, situated several co-accused persons have been enlarged on bail by co-ordinate Bench of this Court in CR. Misc. No. 25345 of 2019 vide order dated 19.4.2019.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of the learned
S.D.J.M., Udakishunganj, in connection with Chousa P.S. Case
No. 303 of 2018, corresponding to G.R. No. 1396 of 2018,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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