

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28781 of 2019**

Arising Out of PS. Case No.-20 Year-2019 Thana- RAHIKA District- Madhubani

1. Taru Mandal, Male, aged about 80 years, S/o Late Laxmi Mandal, R/o Village- Dumri, P.S.- Rahika, District Madhubani.
2. Mamta Devi, Female, aged about 35 years, W/O Bhola Mandal, R/o Village- Dumri, P.S.- Rahika, District Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr.Bimal Kumar, Advocate.

For the Opposite Party : Mr.Indra Kumar Singh (App 174)

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

5      17-08-2019                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners are languishing in custody since  
28.02.2019 in a case for the offence registered under Sections  
302/34 of the IPC.

The prosecution story, in brief, is that on 13.02.2019  
at about 10.00 A.M. in the morning, the informant went at  
Mahanth Chowk to sip tea where his younger brother  
Chandrabir Narayan Singh was also sipping tea and was talking  
with Bhola Mandal, Taru Mandal (petitioner no.1) and Fakir  
Mandal. He returned to his home. Thereafter, he came to know  
that the aforesaid three persons and Mamta Devi (petitioner no.



2) brutally assaulted his brother with Hasua, as a result of which, he sustained injuries in his hand and leg. When the informant and his family members went at the Darwaza of the accused persons, they saw that his brother was crying in pain and drenched with blood. The informant took his injured brother to Sadar Hospital at Madhubani. In the way, his brother stated to the informant that Bhola Mandal, Taru Mandal (petitioner no. 1), Fakir Mandal and Mamta Devi (petitioner no. 2) assaulted him with Iron rod first and thereafter assaulted with Hasua (Tarchhewa) and Hasua was provided to male accused by Mamta Devi (petitioner no. 2). The doctor of Sadar Hospital, Madhubani after providing first aid referred to D.M.C.H., Darbhanga where treatment was going on but on 14.02.2019, his brother Chandrabir Narayan Singh died.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. No any fatal injury is alleged to have been



caused by the petitioners.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Ist, Madhubani, in connection with Rahika P.S. Case No. 20 of 2019.

U.K./-

**(Sudhir Singh, J)**

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