

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.77254 of 2018**

Arising Out of PS. Case No.-66 Year-2013 Thana- LAUKAHI District-  
Madhubani

- =====
1. Samulla Mian @ Md. Samiullah Son of Late Salim Mian, Resident of Village- Kariyat, P.S.- Laukahi, District- Madhubani.
  2. Lalu Mian, Son of Sri Samulla Mian @ Md. Samiullah, Resident of Village- Kariyat, P.S.- Laukahi, District- Madhubani.
  3. Ram Kumar Yadav, Son of Late Motilal Yadav, Resident of Village- Mahdeva, P.S.- Laukahi, District- Madhubani.
  4. Deo Kumar Yadav, Son of Late Matilal Yadav, Resident of Village- Mahdeva, P.S.- Laukahi, District- Madhubani.
  5. Ashraful Mian @ Ashraful Hassan, Son of Late Badiur Rahman, Resident of Village- Kariyat, P.S.- Laukahi, District- Madhubani. at present residing at Village- Maheshpatti, Lalbagh, P.S +.District- Darbhanga.
  6. Kari Mandal, Son of Jagay Mandal, Resident of Village- Kusmahi, P.S.- Andharamath, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Jawed Ahmad

For the Opposite Party/s : Mr.Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      17-01-2019                      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, 342, 323, 386, 377, 307/34 IPC registered in connection with Laukahi P.S.Case No. 66 of 2013.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of a dispute with regard to stolen mobile phone from the shop of the petitioner no. 1.The accusation of assault are general and omnibus in nature and the resultant injuries are simple in nature



except in the case of Kari Mandal, petitioner no. 6 who is said to have assaulted Sandip Kumar Rai and said to have received grievous injury on the lower region of left forearm .

4. Learned APP invites attention to the serious nature of allegation in the FIR, in particular relating to Kari Mandal, petitioner no. 6 .

5. Considering the nature of accusation against the petitioner no. 6, Kari Mandal and the grievous injury said to have been resulted from the assault attributed to him, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner no. 6 and his bail petition stands dismissed.

6. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of arrest or surrender by petitioner nos. 1 to 5 before the court below within six weeks from the date of communication of this order, let the above named petitioner nos. 1 to 5 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 S.D.J.M., Jhanjharpur, in connection with Laukahi P.S. Case No. 66 of 2013, 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 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 petitioners shall remain physically present 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.

Chandran/-

(Vikash Jain, J)

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