

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34519 of 2019

Arising Out of PS. Case No.-63 Year-2018 Thana- TERHAGACHH District- Kishanganj

1. SANTOSH MANDAL @ SANTOSH KUMAR MANDAL Son of Mahadev Mandal Resident of Kuwari, Police Station- Terhagachh, District- Kishanganj.
2. Raju Mandal @ Raju Kumar Mandal Son of Sarjun Mandal Resident of Kuwari, Police Station- Terhagachh, District- Kishanganj.
3. Permila Devi Wife of Santosh Mandal Resident of Kuwari, Police Station- Terhagachh, District- Kishanganj.
4. Sarjun Mandal @ Sarjun Lal Mandal Son of Bokai Resident of Kuwari, Police Station- Terhagachh, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 17-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Terhagachh P.S. Case No. 63 of 2018, disclosing the offence under Sections 341, 323, 308, 504, 506/34 of the Indian Penal Code.

Petitioner no. 1 is the son of the informant. There is allegation against him, his wife, brother-in-law and father-in-law of having assaulted the informant. There is some property dispute also between the petitioner and the informant.

Be that as it may, considering the nature of



allegation, this application is dismissed so far as petitioner no. 1 is concerned.

Learned counsel for the petitioners has submitted that petitioners 2, 3 and 4 have been implicated only because they are related to petitioner no. 1.

Considering the above submission, this application, to the extent the same relates to petitioners no. 2, 3 and 4, is allowed. Let petitioners 2, 3 and 4, above-named, in the event of their arrest/surrender within six weeks from today in the court below, 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 J.M. 1st Class, Kishanganj in Terhagachh P.S. Case No. 63 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners 2, 3 and 4 shall present themselves before the Police/ Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

However, petitioner no. 1 is directed to surrender before the Court below within four weeks from today and seek



regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of his application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

Rajesh/-

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