

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40512 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- BUDHUCHAK District- Bhagalpur

1. Vinod Kumar @ Vinod Kumar Mandal, Son of Rajendra Mandal Resident of Village - Bhola Tola, P.S.- Budhu Chak, Dist.- Bhagalpur.
2. Amit Kumar Mandal @ Dablu Son of Shiv Narayan Mandal Resident of Village - Bhola Tola, P.S.- Budhu Chak, Dist.- Bhagalpur.
3. Subodh Kumar @ Anant Kumar Son of Shiv Narayan Mandal Resident of Village - Bhola Tola, P.S.- Budhu Chak, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Prasad Roy

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Budhuchak P.S. Case no. 02 of 2019, registered under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that on hearing hulla, the informant Umesh Kumar Mandal reached at the door of Mahendra Mandal and saw nine persons named in the F.I.R., including the petitioners, present there and they were demanding ransom of Rs. 10,000/- from Pravin Kumar Mandal,



son-in-law of Mahendra Mandal. At that time, petitioners caught hold the collar of Pravin Kumar Mandal and started assaulting and Surendra Mandal took away Rs. 900/- from the pocket of Pravin Kumar Mandal. When the informant made protest then all started to abuse and caused assault to him. At that time, Suresh Mandal caused injury at the finger of the informant and Ashok Mandal caused injury at the head of informant through sword. When Mahanand Mandal rushed to save him then he was also assaulted by Vinod Mandal (Petitioner No.1), Subodh Mandal (Petitioner No.3), Chhotu Mandal and Chandan Kumar by means of lathi and brick. When Ganesh Mandal, father of Mahanand Mandal, came to save then he was assaulted by Rajendra Mandal, Shiv Narayan Mandal and Amit Kumar @ Dablu (Petitioner No.2) through iron rod on his head and when Chand Devi came to save her husband Ganesh Mandal, she was assaulted by Babita Devi, Sharda Devi and Sunaina Devi and they also snatched her golden chain.

Learned counsel for the petitioners submits that, in fact, occurrence of Marpit took place due to grudge and enmity in which petitioners' side also sustained injuries regarding which Budhuchak P.S. Case No. 03 of 2019 was instituted on



17.01.2019 under Sections 341, 323, 379, 504/34 of the Indian Penal Code against the informant and other of the present case. Moreover, the injuries as found on the person of informant and others are simple in nature. The petitioners have no criminal antecedent.

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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-XIII, Bhagalpur in connection with Budhuchak P.S. Case No. 02 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

