

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71084 of 2018

Arising Out of PS. Case No.-240 Year-2017 Thana- BAUNSI District- Banka *

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1. Nayan Kumar Mandal @ Yadav, Son of Late Bharat Mandal. R/o village-Saruya, P.S- Bounsi, District- Banka
 2. Munna Mandal @ Yadav Son of Ashok Mandal @ Yadav. R/o village-Saruya, P.S- Bounsi, District- Banka
 3. Ashok Mandal @ Yadav, Son of Late Bharat Mandal Resident of Village-Saruya, P.S.- Bounsi, District- Banka.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Dilip Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 12-03-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bounsi P.S. Case no. 240 of 2017, registered under Sections 341, 323, 308, 504 and 506/34 of the Indian Penal Code.

The accusation is that on 24.09.2017 at about 3.00 P.M., informant Suresh Prasad Mandal along with his wife Chinta Devi were cleaning a semi constructed house. At that time, petitioners came there and started pelting stone and bricks upon the informant. At that time, Chinta Devi was assaulted



through Khanti in which she received injury. Thereafter, informant and his wife fled way from there and all the accused persons demolished the wall of semi constructed house.

Learned counsel for the petitioners submits that, in fact, due to land dispute hot talks were exchanged between the parties, but with ulterior motive, the informant lodged the present case with false allegation of causing assault to the informant and his wife. Moreover, informant and his wife each sustained only one injury simple in nature caused by hard and blunt substance. 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) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-III, Banka in connection with Bounsi P.S. Case No. 240 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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