

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45123 of 2019

Arising Out of PS. Case No.-182 Year-2019 Thana- NATHNAGAR District- Bhagalpur

1. JAY PRAKASH MANDAL @ FANTUS MANDAL Son of Gaibi Mandal
 2. Potwa Singh @ Fotwa Singh @ Korwa Mandal @ Korwa Singh Son of Ishwar Prasad Singh
 3. Niranjana Singh Son of Late Bhawesh Singh
 4. Mithun Mandal Son of Sikko Mandal
 5. Guddu Singh Son of Late Tadubir Singh
 6. Sintu Mandal Son of Kamaldeo Singh
 7. Arbind Mandal Son of Bogli Mandal
 8. Suman Mandal Son of Puran Mandal
 9. Badari Mandal Son of Late Jalandar Mandal
 10. Ajay Kumar Singh @ Ajay Singh Son of Late Gurudeo Singh
 11. Lalu Kumar Son of Ramdeo Singh
 12. Tuntun @ Sanjiv Kumar @ Tuntun Singh @ Sanjiv Singh @ Sanjiv Kumar @ Tuntun Son of Ishwar Prasad Singh
 13. Vikki Singh @ Vikki Kumar Singh Son of Late Anirudh Singh
 14. Dilip Mandal Son of Devi Singh
 15. Nanda Mandal @ Nande Mandal Son of Ram Prasad Singh
 16. Chhotu Mandal Son of Ram Prasad Singh
 17. Vikaram Mandal Son of Vijay Mandal
- All are residents of Village - Mandal Tola, Digghi, P.S.- Madhusudanpur,
Distt - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mrs. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-07-2019 The petitioners apprehend their arrest in connection with

Nathnagar P.S. Case No. 182 of 2019 registered under Sections

147, 149, 307, 323, 341, 342, 353, 427 and 504 of the Indian



Penal Code.

Allegation against the petitioners, as per the FIR, is that the police party received information that altercation and *Marpit* was going on between the residents of Mandal Tola Digghi and Yadav Tola of village- Mirzapur. It has further been alleged that the police party arrived at the place of occurrence and saw that all the 21 FIR named accused persons including these petitioners and 20 unknown persons, having *lathi* and *danda* in their hands, were standing and 05 persons of other side from Yadav Tola along with 20 unknown persons were standing having *lathi* and *danda* in their hands. The police party tried to pacify both sides, but they became furious and started pelting stones and *Marpit* in which two ladies of Digghi Mandal Tola got injured. Further allegation is that petitioners along with others hurled filthy languages against the police party and gave *lathi* and *danda* blow on the head of the informant and also assaulted him.

Learned counsel for the petitioner submits that petitioners belong to Digghi Mandal Tola and the persons belonging to Yadav Tola assaulted the family members of the petitioners, in which three ladies, who are sisters of the petitioner no. 3, received injuries, for which a separate FIR has been lodged by



the injured sister of petitioner no. 3 i.e., Nirmala Devi, being Nathnagar P.S. Case No. 183 of 2019. Learned counsel further submits that there was a free fight between two groups of the locality and no specific allegation of assault has been made against these petitioners and the allegations are general and omnibus in nature. He submits that no serious injury is caused to the informant, as would be evident from the averment made in the impugned order. He submits that three members of the side of the petitioners have received injuries.

After having heard learned counsel for the parties and taking into consideration the fact that two groups were fighting among themselves and there is case and counter case in between the parties and side of the petitioners has also lodged FIR and also they have received injuries and allegations appears to be general and omnibus in nature, causing no injury to anybody as such I am inclined to grant anticipatory bail to the petitioners. Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned ACJM-1st Bhagalpur in connection with Nathnagar P.S. Case



No. 182 of 2019; subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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