

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73166 of 2018**

Arising Out of PS. Case No.-86 Year-2018 Thana- SHAMBHUGANJ District-
Banka *

- =====
1. Dharmendra Mandal @ Dharmendra Kumar Son of late Ganesh Mandal
 2. Amrit Mandal @ Amrit Kumar son of late Sachchida Mandal
 3. Ravindra Mandal @ Rabinder Mandal Son of late Sadanand Mandal
 4. Ankit Mandal @ Ankit Kumar Son of Indradeo Mandal
 5. Sachcho Mandal@ Sachchida Nand Mandal Son of late Sajjan Mandal
- All are resident of Village- Bhatti, P.S. Shambhuganj, District- Banka

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Tiwary, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 07-03-2019 Learned counsel for the petitioners states that the petitioner no. 5 has been arrested and as such the anticipatory bail petition of petitioner no. 5 has become infructuous and seeks permission to withdraw the same.

2. Permission accorded. The anticipatory bail petition of petitioner no. 5 stands dismissed as withdrawn.

3. The petitioner nos. 1 to 4 apprehend their arrest for the offences alleged under Sections 323, 341, 354, 379, 504 and 506/34 of the Indian Penal Code registered in connection with Shambhuganj P.S. Case No. 86 of 2018.

4. It is submitted that earlier the petitioners had been



granted bail by the Court of learned Chief Judicial Magistrate, Banka but after addition of Section 302 IPC by subsequent order dated 09.08.2018 the bail stood cancelled. It is submitted that the petitioners have not misused the privilege of bail and relies on the judgment of this Court in *Mahendra Prasad Singh vs. The State of Bihar, 2004 (3) PLJR 491*.

5. In the above view of the matter, if the petitioners appear before the learned Court below within a period of four weeks from today, the bail application of the petitioners shall be considered on its own merits and having regard to the aforesaid decision of this Court.

6. The anticipatory bail petition of petitioner nos. 1 to 4 stands disposed of.

(Vikash Jain, J)

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