

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54310 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- BHAWANIPUR District- Purnia

1. Dukhani Devi, aged about 55 years female wife of Lalo Mandal
2. Abhinandan Mandal, aged about 70 years male son of Hirendra Mandal
Both resident of village- Durgapur, P.S.- Bhawanipur, District- Purnea

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Ram Prawesh Kumar, Advocate
For the Opposite Party	:	Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 448, 147, 149, 341, 323, 323, 307, 324, 379, 504 and 506 of the Indian Penal Code registered in connection with Bhawanipur P.S. Case No. 91 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute. There is no accusation of assault against petitioner no.1, who is lady. It is further submitted that petitioner no. 2 is said to have assaulted the informant and her husband. However, injuries are simple in nature. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in



connection with Bhawanipur P.S. Case No. 91 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That petitioner no. 1 shall be well represented in court on each and every date during trial except as and when directed by the learned Court below to be physically present and petitioner no. 2 shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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