

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57888 of 2019**

Arising Out of PS. Case No.-173 Year-2019 Thana- KURSAKANTA District-
Araria

- =====
1. SARITA DEVI Wife of Vidyanand Mandal Resident of Katfar, Ward No. 9, P.S.- Kursakanta (Kuari), District- Araria
 2. Deva Nand Mandal Son of Late Ramchandra Mandal Resident of Katfar, Ward No. 9, P.S.- Kursakanta (Kuari), District- Araria
 3. Niranjana Mandal @ Niranjana Kumar Mandal Son of Deva Nand Mandal Resident of Katfar, Ward No. 9, P.S.- Kursakanta (Kuari), District- Araria
 4. Sushil Mandal @ Santosh Mandal Son of Deva Nand Mandal Resident of Katfar, Ward No. 9, P.S.- Kursakanta (Kuari), District- Araria
 5. Lalita Devi Wife of Vinod Mandal Resident of Katfar, Ward No. 9, P.S.- Kursakanta (Kuari), District- Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. N.K. Agrawal, Sr. Advocate.
Mr. Vijay Anand,
Ms. Preety Kunwar, Advocates.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 149, 341, 323, 448, 307, 354(A), 379, 504 of the Indian Penal Code registered in connection with Kursakanta (Kuari) P.S. Case No. 173 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of admitted land dispute between the parties. The accusation of assault is general and omnibus in nature, except as against petitioner no. 2 who is said to have assaulted the informant on the head with *farsa*. It is submitted that in any event the injuries sustained by the informant is 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Kursakanta (Kuari) P.S. Case No. 173 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

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

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

(iii) 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.

(iv) That the petitioner nos. 1 and 5 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 nos. 2, 3 and 4 shall remain physically present in court on each and every date, 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.

(Vikash Jain, J)

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