

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78177 of 2018

Arising Out of PS. Case No.-140 Year-2005 Thana- GOPALPUR District- Bhagalpur

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1. Jagarnath Mandal, Son of Janki Das,
 2. Dhananjay Mandal, Son of Janki Das,
 3. Upendra Mandal, Son of Late Fuchai Mandal.
 4. Mahendra Mandal, Son of Late Fuchai Mandal.
 5. Gulab Mandal, Son of Late Leela Mandal,
 6. Subhash Mandal, Son of Late Gulai Mandal @ Gulab Mandal.
 7. Hiran Mandal, Son of Late Gulai Mandal @ Gulab Mandal, All residents of Village- Tintanga Diyara Gyani Das Tola, P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajesh Kumar Pandey
For the Opposite Party/s :	Mr. Vinod Shankar Modi

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-01-2019 This is an application for grant of anticipatory bail in connection with Gopalpur P.S. Case No. 140 of 2005, G.R. No. 486/2005, disclosing offences under Sections 302/34 of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner is of assault to the deceased causing his death. Further it appears that the case is of the year 2005.

Submission of learned counsel for the petitioners is that in this case police after investigation submitted final form and not finding the allegation true. However, the learned Magistrate differing with the opinion of the police took



cognizance. Further, the petitioners are ready to abide by any condition imposed upon them, if they have granted anticipatory bail.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances and also considering the fact that the case is quite old, I am not inclined to grant privilege of anticipatory bail to the petitioners, rather they should surrender before the learned court below and make prayer for regular bail, which will be considered on its own merit without being prejudice by order of this Court.

(Vinod Kumar Sinha, J)

Amjad/-

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