

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78338 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- ISMAILPUR District- Bhagalpur

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1. Sukho Mandal @ Sukhi Mandal Son of Late Jagdish Mandal
 2. Girdhari Mandal Son of Chamki Mandal @ Chamaklal Mandal Both Residents of Village-Chhoti Parbatta, P.S. Ismailpur, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Ismailpur P.S. Case no. 35 of 2018 registered under Sections 147, 148, 149, 341, 323, 504, 506 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

Accused Subodh Mandal is said to have resorted firing by means of three nut on the informant inflicting injury on his back while petitioner Sukho Mandal @ Sukhi Mandal and Girdhari Mandal indiscriminately fired during the course of retreat, but no one has sustained injury in the said fire over the row of installation of hut.

It is submitted by learned counsel for the petitioners



that the petitioners are quite innocent and have been falsely implicated in this case. Petitioners are not assailant. There is land dispute between the parties. The indiscriminate firing allegedly made by the petitioner had not hit anyone. The allegation levelled against the petitioners is not specific rather general and omnibus. The petitioners have no criminal antecedent. Petitioner no. 1 has been languishing in custody since 04.10.2018 while Petitioner no. 2 since 16.09.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Naugachia, Bhagalpur in connection with Ismailpur P.S. Case no. 35 of 2018.

(Prakash Chandra Jaiswal, J)

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