

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83134 of 2019

Arising Out of PS. Case No.-121 Year-2019 Thana- LADANIA District- Madhubani

PHOOL KUMAR MANDAL, aged about 33 years, Male, Son of Late Sukhmar Mandal Resident of Village - Belahi, P.S.- Ladaniya, Distt.- Madhubani. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner as well as learned A.P.P.

On account of recovery of a dead body allegedly that of Bisheshwar Yadav, his family members kept the dead body on the road in order to raise protest. At the intervention of the police officials, they have insisted upon that a case be registered against SSB constable, which was acceded to and then, the police officer took the dead body for postmortem. It has further been disclosed that at that very moment one Ganesh Yadav, Mukhiya of Sidhapkala, arrived who provoked and on his provocation, again the family members of the deceased Bisheshwar Yadav got the dead body removed out of a police Van, kept it on the road and blocked it. During midst thereof, it has been alleged that after seeing one of the SSB personnel, the aforesaid Ganesh Yadav provoked to assault and in the aforesaid background, the members of the mob indulged in assaulting by



fists and slaps as well as with the police party out of whom he identified Kusheshwar Yadav, Nitish Kumar, Ameri Yadav, Rupesh Kumar Yadav, Phul Kumar Mandal, Ashok Mandal, Sanjay Yadav.

From the order impugned, it is evident that the case diary was available before the learned lower court and there happens to be no reference with regard to injury report although, eye witnesses are there to substantiate, however, omnibus in nature and is under custody since 27.10.2019 having no criminal antecedent.

Learned APP though opposed but fairly submits that from the order impugned it is evident that there happens to be no reference of the injury report, Moreover, the petitioner carries omnibus allegation.

Thus, the petitioner, Phool Kumar Mandal, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.IV, Madhubani in Ladaniya P.S.Case No. 121/2019.

(Aditya Kumar Trivedi, J)

Surendra/-

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