

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7902 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- KHARIK District- Bhagalpur

1. BINDESHWARI MANDAL S/o Late Sone Lal Mandal Resident of Village- Usmanpur, P.S.- Kharik, Distt- Bhagalpur.
2. Gita Devi W/o Bindeshwari Mandal Resident of Village- Usmanpur, P.S.- Kharik, Distt- Bhagalpur.
3. Raghvendra Kumar @ Bablu S/o Bindeshwari Mandal Resident of Village- Usmanpur, P.S.- Kharik, Distt- Bhagalpur.
4. Happy Kumar @ Alok Kumar @ Happy Mandal S/o Bindeshwari Mandal Resident of Village- Usmanpur, P.S.- Kharik, Distt- Bhagalpur.
5. Soni Kumari D/o - Bindeshwari Mandal Resident of Village- Usmanpur, P.S.- Kharik, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav
For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

The petitioners are apprehending arrest in connection with Kharik P.S. Case No. 55 of 2019 (G.R. No. 311 of 2019) for the offence under Section 147, 149, 641, 323, 324, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. The scuffle took place on installation of tent on the petitioner's land in connection with sharadh ceremony of elder mother of the informant. There is no specific allegation against the petitioners except petitioner no. 3



and 4. Allegation against petitioner no. 3 is that he has assaulted the informant and petitioner no. 4 has snatched Rs.25,000/-.

Considering the fact that allegation of assault is against Raghavendra Kumar, petitioner no. 3, the Court is inclined to grant bail to the petitioner nos. 1, 2, 4 and 5, in the event of arrest or surrender within one month from today, on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate 1st, Naugachia in connection with Kharik P.S. Case No. 55 of 2019 (G.R. No. 311 of 2019), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner no. 3, Raghavendra Kumar is concerned, the Court is not inclined to grant bail and his prayer for anticipatory bail is rejected. However, rejection of the prayer will not cause prejudice, in the event of petitioner no. 3 surrenders before the Court below and prays for regular bail, the Court below shall decide the application for regular bail on its own merit and dispose the same on the same day.

Rishi Kumar/-

(Anil Kumar Upadhyay, J)

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