

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20594 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- AKBARNAGAR District- Bhagalpur

1. BABLU MANDAL Son of Triveni Mandal Resident of Village - Sahabad, P.S.- Akbarnagar, District - Bhagalpur.
2. Navin Mandal Son of Triveni Mandal Resident of Village - Sahabad, P.S.- Akbarnagar, District - Bhagalpur.
3. Nanki Devi Wife of Triveni Mandal Resident of Village - Sahabad, P.S.- Akbarnagar, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of lifting of the lockdown in the State of Bihar.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case



registered under Sections 341, 323, 307, 354, 504, 506, 379 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is on a dispute over construction of boundary wall, the accused persons, variously armed, assaulted the wife of the informant due to which she sustained injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. As per the allegation, the petitioner is said to have assaulted the wife of the informant. From perusal of the order of the Sessions' Court, it appears that there is no injury report of the wife of the informant on record to support the allegations made in the F.I.R.. The witnesses examined in course of investigation have also not stated regarding the assault upon the wife of the informant.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory



bail on their personal bonds to the satisfaction of learned Additional Judicial Magistrate, Bhagalpur in connection with Akbarnagar P.S. Case No. 8/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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