

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32317 of 2019

Arising Out of PS. Case No.-941 Year-2018 Thana- FORBESGANJ District- Araria

1. Jai Prakash Thandar Son of Girjanand Thandar Resident of Village - Amhara Ward No.12, P.S.-Forbesganj, Dist.- Araria.
2. Om Prakash Thandar Son of Girjanand Thandar Resident of Village - Amhara Ward No.12, P.S.-Forbesganj, Dist.- Araria.
3. Amar Thandar Son of Girjanand Thandar Resident of Village - Amhara Ward No.12, P.S.-Forbesganj, Dist.- Araria.
4. Raja Thandar @ Raja Kumar Thandar Son of Jai Prakash Thandar Resident of Village - Amhara Ward No.12, P.S.-Forbesganj, Dist.- Araria.
5. Ashok Mandal Son of Late Bhola Mandal Resident of Village - Kamta Ward No.06, P.O.- Amhara, P.S.-Forbesganj, Dist.- Araria.
6. Chandan Mandal @ Chandan Kumar Son of Ashok Mandal Resident of Village - Kamta Ward No.06, P.O.- Amhara, P.S.-Forbesganj, Dist.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 18-02-2020 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in **Forbesganj**
P.S. Case No. 941 of 2018, registered for the offence punishable
under Sections, 147, 148, 149, 341, 323, 324, 379, 504, 307,
506 of the Indian Penal Code.

As per prosecution case all the accused persons
including these petitioners armed with deadly weapon and



country made pistol assaulted the informant and his family members.

It is submitted by learned counsel appearing on behalf of petitioners that petitioners have falsely been implicated in this case. There is case and counter case. Both sides sustained injuries. Petitioner no. 6 has got clean antecedent. There are five case pending against Petitioner no. 1, six cases against Petitioner no. 2, seven cases against Petitioner no. 3 and one case each is pending against petitioner no. 4 and 5.

Considering the facts aforesaid and the fact that the Petitioner no. 1 to Petitioner no. 5 have got criminal antecedent, I am not inclined to grant anticipatory bail to Petitioner nos. 1, 2, 3, 4 and petitioner no 5.

So far as the case of petitioner no. 6 Chandan Mandal is concerned, there is only allegation of assault by means of Gupti on the hand of Anirudh Mandal and the injuries is said to be simple in nature. Petitioner no. 6 has got clean antecedent.

Considering the fact aforesaid, Chandan Mandal petitioner no. 6, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 learned **Chief Judicial Magistrate, Araria** in connection with **Forbesganj P.S. Case No. 941 of 2018**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

