

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76704 of 2019

Arising Out of PS. Case No.-80 Year-2016 Thana- SANHAULA District- Bhagalpur

1. RAJ KISHORE MANDAL Son of Ajab Lal Mandal Resident of Village - Fajilpur, P.S.- Sanhoulla, Distt.- Bhagalpur.
2. Chhotu Mandal Son of Ajab Lal Mandal Resident of Village - Fajilpur, P.S.- Sanhoulla, Distt.- Bhagalpur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case registered for the offence under sections 448, 341, 323, 354B, 379, 504 and 506/34 of the Indian Penal Code.

As per allegation in the F.I.R., four accused persons including the two petitioners herein are said to have entered into the house of the informant, pulled the informant on the ground by catching her by her hair and of having assaulted her.

It is submitted by learned counsel for the petitioners that the instant case has been lodged with false and concocted



allegation in response to the F.I.R. registered by co-accused Ajab Lal Mandal, who is father of the petitioners herein and in the said F.I.R copy of which has been annexed as Annexure-2 to the application, the informant of the instant case namely Anita Devi is one of the named accused having been described as the wife of Pramod Mandal. It is further submitted that during course of investigation, petitioners were given the privilege of Section 41 of the Code of Criminal Procedure but later on charge sheet was submitted in the case and cognizance has also been taken. It is finally submitted that the petitioners have no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above stated facts and circumstances of the case, the nature of allegations, the F.I.R. as contained in Annexure-2 to the application, the statement of the petitioners that they had been given the privilege of Section 41 of the Cr.P.C., together with the fact that they have no criminal antecedent, the Court is inclined to enlarge the petitioners on bail. The petitioners, above named, in the event of their arrest or surrender in the Court below within a period of six weeks from



today in connection with Rajaoun P.S. Case No.80 of 2016 is directed to be enlarged on bail on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Bhagalpur, subject to the conditions as laid down in section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J)

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