

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81945 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- GOGRI District- Khagaria

1. Anil Mandal Son of Late Chulhay Mandal Resident of Village - Chandpur, P.S.- Gogri, Distt - Khagaria.
2. Prakash Mandal Son of Late Mulho Mandal Resident of Village - Chandpur, P.S.- Gogri, Distt - Khagaria.
3. Mohan Mandal Son of Kailash Mandal Resident of Village - Chandpur, P.S.- Gogri, Distt - Khagaria.
4. Raghu Mandal Son of Kailash Mandal Resident of Village - Chandpur, P.S.- Gogri, Distt - Khagaria.
5. Sonu Mandal Son of Kailash Mandal Resident of Village - Chandpur, P.S.- Gogri, Distt - Khagaria.
6. Gopi Mandal Son of Dhannu Mandal Resident of Village - Chandpur, P.S.- Gogri, Distt - Khagaria.
7. Rama Mandal Son of Dhannu Mandal Resident of Village - Chandpur, P.S.- Gogri, Distt - Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 379 and 307/34 of the Indian Penal Code.

The prosecution case, as per the written report of Manoj Mandal submitted to Station House Officer of Gogri



Police Station, is to the effect that on 17.02.2019 at 1.30 P.M., the informant is fixing Disco on his land, in the meantime, in the meantime, 10 accused persons including the petitioner came and they started assaulting the informant. It is specifically alleged that co-accused Harichandar Mandal assaulted the informant with iron rod. Thereafter, the accused persons entered into the house of the informant and petitioner no. 1 took out Rs. 2,000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled and the case lodged by the petitioners' side being Gogri P.S. Case No. 48 of 2019 is at earlier point of time. It is further submitted that the specific accusation of assault is against co-accused Harichandar Mandal, who is not petitioner in the present application. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the fact that the specific accusation of assault is against co-accused Harichandar Mandal, who is not petitioner in the present application, and case lodged by the



petitioners' side is at earlier point of time, coupled statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Gogri P.S. Case No. 49 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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