

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87413 of 2019

Arising Out of PS. Case No.-239 Year-2019 Thana- GOPALPUR District- Bhagalpur

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1. Pintu Mandal Son of Ghanshyam Mandal
 2. Bijay Mandal @ Bijay Kumar Son of Ghanshyam Mandal
 3. Ajay Mandal Son of Ghanshyam Mandal
 4. Ghanshyam Mandal Son of Setan Mandal
 5. Mangali Devi W/o Ghanshyam Mandal
 6. Lalita Devi @ Pinki Devi W/o Pintu Mandal
 7. Pinki Devi @ Foolan Devi W/o Bijay Mandal
 8. Reena Devi W/o Ajay Mandal
 9. Bambam Mandal Son of Buchkun Mandal
 10. Hira Mandal @ Hira Lal Mandal Son of Mohan Mandal

All are residents of Village - Tirasi, P.S.- Gopalpur, Dist.- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Pathak
For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 26-06-2020 Heard Mr. Kamlesh Kumar Pathak, learned
counsel for the petitioner and Mr. Dinesh Singh, learned APP
for the State.

The petitioners seek bail in anticipation of their
arrest in connection with Gopalpur P.S. Case No. 239/2019
dated 16.07.2019 instituted for the offences under Sections



304(B), 201 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that from the First Information Report it would appear that the petitioners had not played any specific role in the death of the deceased. Realizing this fact, the informant now has expressed his desire not to prosecute the petitioners any further.

However, looking at the nature of accusations, I am not inclined to grant anticipatory bail to petitioner nos. 1, 2 and 3, who are brothers of the husband of the deceased.

Their petition for anticipatory bail is rejected.

However, if they surrender before the court below and seek bail, the same shall be considered on its own merit without being prejudiced by the fact that the present petition on their behalf has not been entertained.

The petitioner nos. 4 and 5, who are the parents-in-law of the deceased, petitioner nos. 6, 7 and 8, who are the sisters-in-law of the deceased, petitioner no. 9, who is the cousin brother-in-law of the deceased and petitioner no. 10, who is the co-villager are directed to be released on bail,



in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -I, Naugachia, Bhagalpur, in connection with Gopalpur P.S. Case No. 239/2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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