

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23773 of 2020

Arising Out of PS. Case No.-254 Year-2019 Thana- BARHARA KOTHI District- Purnia

1. Sitaram Mandal son of Bhagat Mandal, Resident of Village-Bithaili, P.S.-Barhara Kothi, District-Purnea.
2. Gonar Mandal S/o Late Ghunu Mandal Resident of Village-Bithaili, P.S.-Barhara Kothi, District-Purnea.
3. Shiwendra Mandal S/o Late Ghunu Mandal Resident of Village-Bithaili, P.S.-Barhara Kothi, District-Purnea.
4. Arun Mandal S/o Late Ghunu Mandal Resident of Village-Bithaili, P.S.-Barhara Kothi, District-Purnea.
5. Rajendra Mandal S/o Late Bachkan Mandal Resident of Village- Bithaili, P.S.-Barhara Kothi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gyanand Roy, Adv.
For the Opposite Party/s	:	Ms. Meena Singh APP
For the informant	:	Mr. Ram Prawesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 15-01-2021 Heard learned counsel for the petitioners, informant and learned APP for the State.

Petitioners apprehend their arrest in connection with Barhara PS Case No 254 of 2019 instituted for the offence under Section(s) 147,148,149, 341,323, 324, 307, 379, 386, 436, 504 and 506 of the Indian Penal Code.

Mr. Roy appearing for the petitioners submits that the informant's father was desirous of purchasing certain lands and therefore the allegation of assault has been attributed. The



allegations are palpably false. The allegation of setting ablaze the house of the informant finds no mention in the course of investigation which is evident from the case diary which has been received in the instant case. The father of the informant is himself a convict, and on bail under the orders passed by this Court in appeal. The others, similarly situated, have been allowed anticipatory bail in Cr Misc No 24411 of 2020. There is general allegation against 29 named persons and 30-40 others persons, not named, have also allegedly committed the offence together. The petitioners have no criminal antecedents.

The learned counsel for the informant and APP have opposed the prayer for bail.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the court below, within four (04) weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Purnea in connection with Barhara PS Case No 254 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-



(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

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

