

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36804 of 2021

Arising Out of PS. Case No.-295 Year-2020 Thana- BARHARA KOTHI District- Purnia

1. WAKIL MANDAL S/o Ram Khelaban Mandal Resident of Village- Nathpur, Gorhyari, P.S. - Barhara Kothi, (Raghubansh Nagar), District- Purnia.
2. Ugra Narayan Mandal S/O Devi Mandal Resident of Village- Nathpur, Gorhyari, P.S. - Barhara Kothi, (Raghubansh Nagar), District- Purnia.
3. Rudra Narayan Mandal S/O Late Anandi Mandal Resident of Village- Nathpur, Gorhyari, P.S. - Barhara Kothi, (Raghubansh Nagar), District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Raj Kumar
Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioners, the State and the informant.

Petitioners seek regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, 25 named accused persons, including these petitioners and 10-15 unknown persons, variously armed, came and abused the father informant and assaulted him with Lathi, Danda and iron rod. Thereafter, it



is alleged that petitioner No.1 assaulted the mother of informant with iron rod on her head which hit on her left hand palm. It is further alleged that on the order of Dinesh Mandal co-accused Julis Mandal fired from musket which hit on his hand and co-accused Saurabh Mandal fired from his pistol which hit on his leg. During the course of treatment father of informant died.

Learned counsel appearing for the petitioners submits that there is case and counter case between the parties on account of land dispute in which both sides sustained injuries. There is no specific allegation of firing against these petitioners. It is submitted that petitioner No.1 assaulted mother of informant with iron which hit on her left hand palm and so far petitioners No.2 and 3 are concerned there is general and omnibus allegation against them. Similarly situated accused Dinesh Mandal and Chhanguri Mandal have already been granted bail by this court vide order passed in Cr. Misc. No. 36662/2021. Petitioners claim clean antecedent and are in custody since 15.12.2020 and investigation in this case is complete.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that petitioners actively participated in the occurrence and assaulted



the deceased.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Barhara Kothi (Raghubansh Nagar) PS case No.295/2020.

(Prabhat Kumar Singh, J)

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