

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39713 of 2020

Arising Out of PS. Case No.-282 Year-2017 Thana- PHULPARAS District- Madhubani

1. SUBHASH MANDAL S/O SRI CHANDRA MANDAL RESIDENT OF VILLAGE GAHDHWA (GARWA), PS PHULPARAS, DISTRICT-MADHUBANI.
2. CHANDAN MANDAL S/O SRI TETAR MANDAL RESIDENT OF VILLAGE GAHDHWA (GARWA), PS PHULPARAS, DISTRICT-MADHUBANI.
3. YOGENDRA MANDAL S/O SRI PARMESHWAR MANDAL RESIDENT OF VILLAGE GAHDHWA (GARWA), PS PHULPARAS, DISTRICT-MADHUBANI.
4. DEVENDRA MANDAL @ DEVENDRA KUMAR MANDAL S/O SRI PARMESHWAR MANDAL RESIDENT OF VILLAGE GAHDHWA (GARWA), PS PHULPARAS, DISTRICT-MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No. 13, Advocate Ms. Kumari Shubham, Advocate
For the Opposite Party/s :		Mr. Surendra Kumar, APP Mr. Anant Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 08-12-2021 Heard Mr. Manish Kumar No. 13, learned Advocate for the petitioners and Mr. Anant Kumar Mishra for the informant. The State is represented by Mr. Surendra Kumar, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Phulparas P.S. Case No. 282 of 2017 dated 05.12.2017 instituted for the offences under Sections 147, 148, 149, 341, 323, 302 and 120(B) of the Indian Penal Code.



They have not been named in the FIR.

Some of the other accused persons have been named in the FIR with the allegation of assaulting the deceased.

Learned counsel for the petitioners has submitted that their implication in this case is only on the basis of statement made by the stray witnesses during the course of investigation. In fact, the occurrence of assault took place because of a Cricket match in which the players of the opposite camps had fought amongst themselves. The petitioners have got no connection with either the game of Cricket which had given rise to the occurrence or with the persons who had played the match.

Considering the vague nature of accusation, some of the other accused persons of this case have been granted anticipatory bail by different Benches of this Court vide order dated 06.11.2020 passed in Cr. Misc. No. 26679 of 2020 and 18.11.2021 passed in Cr. Misc. No. 4683 of 2020. The case of the petitioner is exactly similar.

Considering the aforementioned circumstances, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Jhanjharpur (Madhubani) in connection with Phulparas P.S. Case No. 282 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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