

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.835 of 2021

Arising Out of PS. Case No.-53 Year-2019 Thana- BHARGAMA District- Araria

1. BHOLA MANDAL S/O Late Bihari Mandal Resident of Village- Panchayat Dhaneshwar, Ward No. 3, P.S. Bhargama, District - Araria.
2. Parmeshwari Mandal S/O Late Sukhay Mandal Resident of Village- Panchayat Dhaneshwar, Ward No. 3, P.S. Bhargama, District - Araria.
3. Subodh Mandal S/o Surju Mandal Resident of Village- Panchayat Dhaneshwar, Ward No. 3, P.S. Bhargama, District - Araria.
4. Baitha Mandal S/o Surju Mandal Resident of Village- Panchayat Dhaneshwar, Ward No. 3, P.S. Bhargama, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioners are apprehending their arrest in a case
registered under Sections 147, 148, 149, 341, 342, 323, 324,
325, 307, 379, 120(B), 504, 506 of the Indian Penal Code and
27 of the Arms Act.

The prosecution allegation, in short, is that the accused



persons variously armed came to the door of the informant and started assaulted him along with family members due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned J.M. 1st Class, Araria in connection with Bhargama P.S. Case No. 53 of 2019 (G.R. No. 873 of 2019), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Pankaj/-

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

