

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7643 of 2021

Arising Out of PS. Case No.-136 Year-2020 Thana- KHARIK District- Bhagalpur

1. CHHATRI MNADAL Son of Late Janri Mandal Resident of Village- Sungthiya, P.S.- Kharik, Distt- Bhagalpur
2. Gopal Mandal Son of Late Janri Mandal Resident of Village- Sungthiya, P.S.- Kharik, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Ram Chandar Sahani

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-06-2021 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in connection with Kharik P.S. Case No.136 of 2020 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 302, 504, 506 of the Indian Penal Code.

Allegation against the petitioners is that on account of some dispute regarding passage petitioners assaulted father of the informant in association with other co-accused persons by means of



Lathi, Danda, Khanti, Kudal etc on his head as a result of which he died.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case and has not committed any offence as alleged in the FIR. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He fairly submits that the bail application of the co-accused Madan Mandal has been dismissed *vide* order dated 05.03.2021 passed in Cr. Misc No. 474 of 2021 by the co-ordinate Bench of this Court. The petitioners have no criminal antecedent and have been languishing in custody since 08.07.2020.

Learned APP for the State vehemently opposed the prayer for bail petition stating that petitioners along with other accused persons armed with Lathi, Danda, Khanti etc assaulted the father of the informant due to which he died on the spot.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the bail application of the petitioners is hereby dismissed.

However, the petitioners may renew their prayer for bail after framing of the charge.

(Anjani Kumar Sharan, J)

GAURAV S./-

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

