

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16198 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- MORKAHI District- Khagaria

1. Pannalal Mandal Son of Late Visho Mandal Resident of Village - Marar Uttari, P.S.- Morkahi, Distt.- Khagaria (Bihar).
2. Chandan Mandal Son of Pannalal Mandal Resident of Village - Marar Uttari, P.S.- Morkahi, Distt.- Khagaria (Bihar).
3. Deepak Mandal Son of Laddu Lal Mandal Resident of Village - Marar Uttari, P.S.- Morkahi, Distt.- Khagaria (Bihar).
4. Dhurub Mandal Son of Laddu Lal Mandal Resident of Village - Marar Uttari, P.S.- Morkahi, Distt.- Khagaria (Bihar).
5. Mithilesh Mandal Son of Prakash Mandal Resident of Village - Marar Uttari, P.S.- Morkahi, Distt.- Khagaria (Bihar).
6. Laddu Lal Mandal Son of Late Visho Mandal Resident of Village - Marar Uttari, P.S.- Morkahi, Distt.- Khagaria (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishor Poddar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2022 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.



The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 307, 504, 506, 379, 34 of the Indian Penal Code.

It is alleged that F.I.R named accused persons including the petitioners surrounded the son of the informant while he was returning after closing his shop and assaulted him with lathi, danda and iron rod and when the informant came to rescue him, he was also assaulted by the accused persons. The accused persons also snatched cash and mobile phone of the son of the informant.

It is submitted by learned counsel for the petitioners that there is general and omnibus allegation against the petitioners. In fact, at earlier point of time, the petitioners' side registered Morkahi P.S. Case No. 98 of 2021 under Sections 457, 354(A) I.P.C and Section 12 of the POCSO Act against the son of the informant for outraging the modesty of daughter of petitioner No.



2. Hence, as a retaliatory measure and in order to put pressure upon the petitioners, this false case has been registered against the petitioners. Moreover, the injuries received by the victim are simple in nature as gets reflected from Annexure-3 of the petition.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Morkahi P.S. Case No. 97 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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