

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19357 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- RUPAULI District- Purnia

1. SURAJ KUMAR Son of Ajay Mandal Resident of Village - Ajokopa Tintenga, P.S.- Rupauli, Distt.- Purnea.
2. Dalla Mandal @ Dulla Mandal Son of Ashok Mandal Resident of Village - Ajokopa Tintenga, P.S.- Rupauli, Distt.- Purnea.
3. Deepak Mandal Son of Ashok Mandal Resident of Village - Ajokopa Tintenga, P.S.- Rupauli, Distt.- Purnea.
4. Santosh Mandal Son of Ajay Mandal Resident of Village - Ajokopa Tintenga, P.S.- Rupauli, Distt.- Purnea.
5. Ashok Mandal Son of Late Ramdas Mandal Resident of Village - Ajokopa Tintenga, P.S.- Rupauli, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-08-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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

After some arguments, learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.1.



Permission accorded.

This application with regard to petitioner no.1 is dismissed as withdrawn.

Now it is being heard for consideration of bail on behalf of the remaining petitioners.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 306 of the Indian Penal Code.

Allegedly, the daughter of the informant has committed suicide after the FIR named accused persons accused her of being characterless and involved in vulgar works.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific overt act is against Suraj Kumar of showing the objectionable picture of informant's daughter to her. The fact is that due to dispute for draining of water between the parties, petitioners have been implicated in this case. Petitioner nos. 2 and 3 have one criminal antecedent and petitioner nos.4 and 5 have no criminal antecedent.



Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner nos.2 to 5, let them, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Rupauli P.S. Case No.167 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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