

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29041 of 2021

Arising Out of PS. Case No.-142 Year-2015 Thana- NATHNAGAR District- Bhagalpur

1. Chandradev Mandal @ Gyandev Mandal Son of Late Alak Mandal Resident of Village - Amri Bishanpur, P.S. - Narayanpur, District - Bhagalpur.
2. Ramcharita Mandal @ Chatritra Son of Late Sukhdev Mandal Resident of Village - Amri Bishanpur, P.S. - Narayanpur, District - Bhagalpur.
3. Pappu Mandal Son of Prasadi Mandal Resident of Village - Amri Bishanpur, P.S. - Narayanpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 147, 148, 149, 341, 342, 323, 504, 333, 353 and 307 of the Indian Penal Code.

From the First Information Report, it appears that there developed some dispute between the villagers of two villages which resulted into clashes necessitating intervention of



the local administration. Allegation against these petitioners of raising slogans, causing obstruction in due discharge of official duties of the public servants and of resorting to brick-bating.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegations against all the accused persons including the petitioners. He further submits that similarly situated co-accused persons Purusottam Mandal @ Pursottam Kumar Mandal, Rupesh Mandal and others have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 22.01.2016 in Cr. Misc. No. 58563 of 2015.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nathnagar P.S. Case No. 142 of 2015, G.R. No. 2655 of 2015, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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