

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38877 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- BHEJA District- Madhubani

1. ARUN MANDAL Son of Jagdish Madal Resident of Village- Basipati, P.S.- Bheja, District- Madhubani.
2. Raj Kumar Mandal @ Raj Kumar Chaupal Son of Kishun Lal Mandal Resident of Village- Basipati, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Chaturvedi, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 08-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 341, 323, 367 and 34 of the Indian Penal Code.

As per the prosecution case, the informant alleges that his son was beaten up by the petitioners and taken away. It is further stated that on asking the petitioners as to why they were beating up his son, the petitioner no. 2 stated that he had stolen their mobile phone.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case for



oblique reasons. From the FIR itself it would transpire that for an occurrence alleged to have taken place on 27.10.2020, information was given to the police station after much delay only on 12.11.2020 without any explanation for the same. The son of the informant returned. The investigation in the case has concluded. The petitioners are in custody since 19.11.2020 and 19.12.2020 respectively and they have no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation, the son of informant having returned home and the petitioners having remained in custody for more than 1 year, the Court directs the petitioners to be enlarged on bail in connection with Bheja P.S. Case no. 98 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-III, Jhanjharpur, District-Madhubani.

(Partha Sarthy, J)

Prakash/-

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