

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41166 of 2021

Arising Out of PS. Case No.-87 Year-2021 Thana- NAUGACHIA District- Bhagalpur

1. RAM SHEWAK MANDAL @ RAMSEWAK MANDAL S/O Late Basant Mandal Resident of Village - Milki (Goushala), P.S. - Naugachia, Dist. - Bhagalpur.
2. GAUTAM KUMAR S/O Ramshewak Mandal Resident of Village - Milki (Goushala), P.S. - Naugachia, Dist. - Bhagalpur.
3. ANAND KUMAR S/O Ramshewak Mandal Resident of Village - Milki (Goushala), P.S. - Naugachia, Dist. - Bhagalpur.
4. SHIVA KUMAR @ SHIVAM KUMAR S/o Late Sikandar Mandal Resident of Village - Milki (Goushala), P.S. - Naugachia, Dist. - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Anand
For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

02-03-2022

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend arrest in connection with Naugachia P.S. Case No. 87 of 2021 registered under Section 307 and other allied sections of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Further he submits that there is no direct allegation against the petitioners, except petitioner no.1. Further he submits that petitioners have no criminal antecedent.



Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer of petitioner no.1 Ram Shewak Mandal @ Ramsewak Mandal by contending that in the first information report, there is direct allegation of assault with iron rod on the head of the informant. Hence, this is not a fit case for grant of anticipatory bail of the petitioner no.1.

Having considered the above facts and circumstances of the case as well as the submissions advanced on behalf of the State, prayer of the petitioner no.1 Ram Shewak Mandal @ Ramsewak Mandal is rejected. As far as the application of petitioner nos. 2 to 4 is concerned, their prayer for grant of anticipatory bail is allowed.

Let the above named petitioner nos. 2 to 4 be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the Additional Chief Judicial Magistrate-I, Naugachia in connection with Naugachia P.S. Case No. 87 of 2021, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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