

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41175 of 2022

Arising Out of PS. Case No.-634 Year-2021 Thana- NATHNAGAR District- Bhagalpur

1. CHANDRA SHEKHAR MANDAL@ KOWBA Son of Late Subodh Mandal Resident of Village - Ganourwabadarpur, P.s.- Madhusudanpur, Dist.- Bhagalpur.
2. Salendra Mandal @ Sahuwa Son of Late Subodh Mandal Resident of Village - Ganourwabadarpur, P.s.- Madhusudanpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 379, 385, 504, 506, 34 of the Indian Penal Code.

As per F.I.R., while the informant was constructing boundary wall over his land, the F.I.R. named accused persons including petitioners and three unknown persons came there and started abusing him and thereafter, demanded Rs. Five Lacs, as Rangdari. It is further alleged that on the point of pistol, the accused persons took out Rs. 18,000/- from the pocket and gold chain from the neck of informant.

It is submitted on behalf of petitioners that due to land



dispute between the parties, petitioners have been falsely implicated in this case. Prior to lodging of present F.I.R., petitioner no. 1 had filed a Sanha, bearing no. 2299/21 against the informant in the court of learned C.J.M., Bhagalpur and in retaliation, the instant F.I.R. has been lodged. Allegation of Section 379 IPC is ornamental and same has been added only with a view to make the allegation more serious.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 634 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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