

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54567 of 2021

Arising Out of PS. Case No.-25 Year-2021 Thana- MIRGANJ District- Purnia

1. Haribol Mahaldar Son Of Late Sugdeo Mahaldar R/O Village- Baharkona, P.S.- Mirganj, District- Purnia
2. Pradeep Kumar @ Pradeep Mahaldar Son Of Haribol Mahaldar R/O Village- Baharkona, P.S.- Mirganj, District- Purnia
3. Nirmala Devi Wife Of Haribol Mahaldar R/O Village- Baharkona, P.S.- Mirganj, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Mallick
For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 23-02-2022 Heard both the parties.

The petitioners seek bail in anticipation of their arrest in connection with Mirganj P.S. Case No.25 of 2021 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 325, 307 and 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the water-body belongs to the petitioner and the informant was wrongfully using the same and taking out fish. On the said matter, quarrel took place and injuries have been caused. However, there cannot be any deliberate intention.

I have considered the submission.



Specific allegation of causing head injury is found to be made against the petitioner no.1, therefore, the prayer for anticipatory bail made on behalf of the petitioner no.1 namely **Haribol Mahaldar** is dismissed and the prayer for anticipatory bail made on behalf of the petitioner no.2 and 3 is allowed and in the event of arrest, they shall be released on bail subject to conditions as laid down under section 438(2) Cr.P.C., which are as under:-

1. The applicants, namely, **Pradeep Kumar @ Pradeep Mahaldar & Nirmala Devi** shall furnish personal bond with their recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer.

2. The applicants shall cooperate with the investigation and make themselves available for interrogation whenever required.

3. The applicants shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer,

4. The applicants shall not obstruct or hamper the police investigation and not to play mischief with the evidence



collected or yet to be collected by the police;

5. The applicants shall not leave the territory of Purnia without prior permission of the court, till trial is over;

6. The applicants shall maintain law and order;

7. The applicants shall, at the time of execution of the bond, furnish their address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

8. The applicants shall surrender their passport, if any, before the investigating officer within a week and, if they do not possess any passport, they shall file an affidavit to that effect before the investigating officer;

9. The applicants shall regularly remain present during the trial and cooperate with the Hon'ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

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