

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22404 of 2023

Arising Out of PS. Case No.-38 Year-2019 Thana- SABAUR District- Bhagalpur

1. GULABI MANDAL SON OF LATE RASHTRA PATI MANDAL @ RAMO MANDAL RESIDENT OF VILLAGE- KODWAR , GOPALPUR, PS- GHOGHA, DISTT- BHAGALPUR
2. KUNTI DEVI WIFE OF RAJARAM MANDAL RESIDENT OF VILLAGE- GHIYA, PS- SABOUR (GORADIH), DISTT- BHAGLAPUR
3. AMISHA DEVI @ ANITA DEVI WIFE OF TILAK KUMAR @ TILAK MANDAL RESIDENT OF VILLAGE- GHIYA, PS- SABOUR (GORADIH), DISTT- BHAGLAPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-06-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Sabour (Goradih) P.S. Case No. 38 of 2019 dated 16.02.2019 registered for the offences punishable u/s 147, 148, 149, 341, 323, 302 and 504 of the Indian Penal Code.

As per prosecution case, the petitioners and the co-



accused persons came variously armed and stopped from sowing the seeds. On being objected, they assaulted the informant, his son and his wife due to that the wife of the informant died.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is no specific allegation against the petitioners. There is general and omnibus allegation. Similarly situated co-accused persons have already been granted bail vide order dated 30.09.2019 passed in Cr. Misc. No. 46357 of 2019. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

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-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Sabour (Goradih) P.S. Case No. 38 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.



This application stands allowed.

(Chandra Prakash Singh, J)

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