

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28395 of 2023

Arising Out of PS. Case No.-303 Year-2022 Thana- TRIVENIGANJ District- Supaul

1. Kishore Mandal @ Kishore Kumar Mandal, Son of Jhabar Mandal, Resident of village - Karharwa, Ward No.- 09, P.S.- Triveniganj, District - Supaul.
2. Ram Krishna Mandal @ Ram Krishna @ Ram Krishna Kumar Raman, Son of Late Jagdish Mandal, Resident of village - Harihar Patti, P.S.- Triveniganj, District - Supaul.
3. Santosh Mandal @ Santosh @ Santosh Kumar Mandal, Son of Bindeshwari Mandal, Resident of village - Harihar Patti, P.S.- Triveniganj, District - Supaul.
4. Rajeev Mandal @ Rajeev Kumar Son of Jagdish Mandal Resident of village and P.S.- Raghapur, District - Supaul.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Pramod Mishra, Advocate

For the Opposite Party : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Triveniganj P.S. Case No. 303 of 2022 registered for the offences punishable under Sections 148, 149, 452, 367, 341, 323, 342, 308, 379 of the Indian Penal Code and Section 25(1-B)a/35 of the Arms Act. They have no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that on 17.06.2022 at about 7 O' clock while he had



gone at the house of his cousin brother-in-law (Bahnoi), in the morning, 8 – 10 accused persons having deadly weapon in their hand came there and started knocking the door and forcibly taken away the informant on the gun-point at the house of one Laddulal Mandal where he was brutally assaulted. The informant further alleged that said Laddulal Mandal wanted to marry his daughter with him but his marriage was solemnized with other girl and for taking revenge the alleged occurrence has taken place.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that there are general and omnibus allegations against the petitioners as also the present case is a counter blast of Triveniganj P.S. Case No. 302/2022.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is submitted that the present case is a counter blast of Triveniganj P.S. Case No. 302/2022 lodged against the informant of the present case, in the nature of the allegations and the case and counter case as also that the petitioners have no criminal antecedent, this Court directs that in case of their



arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Supaul in connection with Triveniganj P.S. Case No. 303 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J.)

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