

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44332 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- JALALGARH District- Purnia

1. Rohit Kumar @ Rohit Mandal Son Of Suresh Roy @ Suresh Mandal Resident Of Village- Harchandpur, Ps- Jalalgarh, Distt- Purnea
2. Suresh Roy @ Suresh Mandal Son Of Late Buddhu Mandal Resident Of Village- Harchandpur, Ps- Jalalgarh, Distt- Purnea
3. Neeraj Kumar @ Neeraj Mandal Son Of Late Anil Mandal @ Anil Roy Resident Of Village- Harchandpur, Ps- Jalalgarh, Distt- Purnea
4. Dheeraj Kumar Mandal @ Dheeraj Mandal @ Dheeraj Kumar Son Of Late Anil Mandal @ Anil Roy Resident Of Village- Harchandpur, Ps- Jalalgarh, Distt- Purnea
5. Sanjay Mandal Son Of Late Tul Mandal @ Lubhsi Mandal Resident Of Village- Harchandpur, Ps- Jalalgarh, Distt- Purnea
6. Sunil Kumar Mandal @ Sunil Mandal Son Of Late Darogi Mandal Resident Of Village- Harchandpur, Ps- Jalalgarh, Distt- Purnea
7. Deepak Kumar @ Deepak Mandal Son Of Sanjay Mandal Resident Of Village- Harchandpur, Ps- Jalalgarh, Distt- Purnea
8. Shivam Kumar @ Shivam Mandal Son Of Raju Mandal Resident Of Village- Harchandpur, Ps- Jalalgarh, Distt- Purnea

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-08-2023 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 149, 323, 324, 341, 307, 379, 504, 506 of the Indian Penal Code.



3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and informant alleges that on 21.03.2023, 11 named accused persons including the petitioners came variously armed with weapons at the house of the informant and started abusing. Thereafter, it is alleged that when the brother of the informant protested, then on orders of petitioner no.2, co-accused Ashok Mandal shot him with an arrow causing injury. Thereafter, petitioner no.6 threatened the informant by pointing his pistol and Kailash Yadav assaulted Monu Kumar with spear and thereafter, accused persons looted articles worth of Rs.50,000/-.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegations against the petitioners are general and omnibus in nature. Though against petitioner no.2, it is alleged that it was on his order that Ashok Mandal shot his brother by an arrow causing injury, which is said to be grievous. It is next submitted that allegation against petitioner no.6 is ornamental as the F.I.R. has not been instituted under the Arms Act and allegation of causing injury to the injured is specifically against Ashok Mandal and against Kailash



Yadav of assaulting Monu Kumar with spear. The learned counsel for the petitioners further submits that petitioner no.2 also has been made an accused by alleging ornamental allegation of an order giver.

5. The learned Additional Public Prosecutor opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Jalalgarh P. S. Case No.49 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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