

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43296 of 2022

Arising Out of PS. Case No.-189 Year-2021 Thana- BASOPATTI District- Madhubani

Kamalesh Mandal S/O Jageshwar Mandal R/V- Khauna, P.S.- Basopatti,
Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 43518 of 2022

Arising Out of PS. Case No.-189 Year-2021 Thana- BASOPATTI District- Madhubani

1. Karan Mandal S/O Jageshwar Mandal Resident Of Village- Khauna, P.S-
Basopatti, Dist- Madhubani
2. Asha Devi Wife Of Jageshwar Mandal Resident Of Village- Khauna, P.S-
Basopatti, Dist- Madhubani
3. Pinki Devi Wife Of Bimlesh Mandal Resident Of Village- Khauna, P.S-
Basopatti, Dist- Madhubani
4. Babby Devi Wife Of Kamlesh Mandal Resident Of Village- Khauna, P.S-
Basopatti, Dist- Madhubani
5. Sanju Devi Wife Of Sushil Mandal Resident Of Village- Khauna, P.S-
Basopatti, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 43296 of 2022)

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr. H.A. Khan

(In CRIMINAL MISCELLANEOUS No. 43518 of 2022)

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-03-2023 As both these bail applications have cropped up from

the same police station case number, hence, with consent of

parties, they are being heard together and disposed of by this

common order.



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

Learned counsel for the petitioners undertakes to remove the defects, if any, within three weeks.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 323, 341, 379, 325, 354(B), 308, 504, 506, 34 of the Indian Penal Code and charged under Sections 447, 341, 323, 325, 354, 307, 504, 506, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that occurrence took place on 25.07.2021 but the FIR has been lodged on 02.08.2021 after delay of 8 days without explaining any reasonable cause of delay. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the



case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Basopatti P.S. Case No. 189 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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