

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51388 of 2023

Arising Out of PS. Case No.-189 Year-2019 Thana- LODIPUR District- Bhagalpur

1. SANJAY MANDAL Son of Narayan Mandal Resident of village - Shri Rampur Dih, P.S. - Lodipur, Distt. - Bhagalpur
2. Raju Mandal Son of Narayan Mandal Resident of village - Shri Rampur Dih, P.S. - Lodipur, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 307, 153A, 353, 298, 332 and 333 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 18.10.2019, informant along with other people were returning from grave yard after burial of dead body of one late Yahiya and as soon as they reached near the house of Harchand Mandal, all



the accused persons including these petitioners armed with deadly weapon surrounded the prosecution party and started assaulting them, meanwhile one of the co-accused Mahabir Mandal threw bomb upon the informant in which he and other persons sustained injury .

4. It is submitted on behalf of the petitioners that present case is counter blast of Lodipur P . S. Case No . 190 of 2019. Allegation of assault is general and omnibus against these petitioners. No specific overt act is alleged against them. There is no injury report on the record. Similarly situated co-accused persons have already granted bail by this Court vide order dated 29.09.2022 in Cr. Misc. No. 29959 of 2022.

5. Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Lodipur P.S. Case No. 189 of 2019, subject to the conditions laid down under section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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