

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37951 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- KURSAILA District- Katihar

1. Pramod Mandal @ Pramod Kumar Mandal Son of Raj Kumar Mandal
 2. Arbind Kumar Son of Raja Kumar Mandal
 3. Rekha Kumari D/O Raj Kumar Mandal
 4. Raj Kumal Mandal Son of Late Basudeo Mandal
 5. Karmi Devi D/O Pramod Mandal
 6. Fulo Devi W/O Raj Kumar Mandal
- All R/O Vill.- Maliniya, P.S.- Kursela, Dist.- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2024 The learned counsel for the petitioners seek permission to make rectification in the description of petitioner no.5.

2. Permission is accorded.

3. Heard learned counsel for the petitioners as well as learned APP for the State.

4. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 504 and 34 of the IPC in connection with Kursela P.S. Case No.17 of 2024.

5. The learned counsel for the petitioners submit that petitioner no.1 and 4 have antecedent of one case and the said



case has been instituted by the side of the informant. Further, rest of the petitioners are the persons with clean antecedent.

6. It is next submitted that petitioner no.1, 2 and 3 are sons and daughter of petitioner no.4, while petitioner no.5 and 6 are wife of petitioner no.1 and 4.

7. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the entire family members have been implicated in the instant case with allegation of assault, but then the allegation of assaulting the injured is general and omnibus in nature. It is next submitted no doubt one of the injury suffered by the injured i.e. brother of the informant is on head which is said to be grievous, but then the allegation of assault is not specific and the entire family members have been implicated, which amply demonstrates that the FIR came to be instituted with an intention to implicate the entire family members of the petitioner no.4. It is further submitted that even women of the family have been implicated.

8. The learned APP opposes the anticipatory bail application.

9. 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, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Kursela P.S. Case No.17 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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