

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66342 of 2024

Arising Out of PS. Case No.-36 Year-2023 Thana- FALKA District- Katihar

1. Raju Kumar Son of Kameshwar Mandal R/o Village -Malharia, P.S. -Falka (Pothia), District- Katihar
2. Jailu Kumar Son of Kameshwar Mandal R/o Village -Malharia, P.S. -Falka (Pothia), District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Mandal, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Falka (Pothia) P.S Case No. 36 of 2023 dated 05.02.2023 registered for the offence punishable u/s 147, 148, 149, 341, 342, 324, 307 and 302 of the Indian Penal Code.

3. As per the prosecution case, the allegation against the co-accused persons namely, Shankar Mandal, Pappu Mandal, Subodh Mandal and Kameshwar Mandal is of assaulting the informant's husband with *Gadasa* and axe on his head due to which the informant's husband succumbed to injury on the spot. The petitioners and the co-accused persons, namely, Sailendra @ Shailendra Mandal and Swaroop Mandal@Bhola assaulted Rajnish Kumar with *dabia* and sword. The informant and his son were also assaulted with *dabia* by the co-accused Ajay Kumar.

4. Learned counsel for the petitioners has submitted that



the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The specific allegation of assaulting the informant's husband (deceased) is against the co-accused persons. The co-accused person has already been granted bail by this Court vide order dated 12.07.2023 passed in Cr. Misc No. 39779 of 2023. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 24.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Falka (Pothia) P.S Case No. 36 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Aman Kumar/-

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