

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6961 of 2024

Arising Out of PS. Case No.-53 Year-2022 Thana- BUDHUCHAK District- Bhagalpur

1. Suresh Mandal, Son Of Late Kunay Mandal, Resident Of Village - Railway Lne Kishandaspur, P.S. Budhuchak, District - Bhagalpur, Bihar
2. Kiran Devi, Wife Of Suresh Mandal, Resident Of Village - Railway Line Kihsandaspur, P.S. Budhchak, District - Bhagalpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Budhuchak P.S. Case No. 53 of 2022, registered for the offences under Sections 341, 323, 307, 448, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, petitioners assaulted the informant and looted ornaments from his house.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The FIR has been lodged after delay of two



months without any proper explanation which creates doubt over the prosecution story. Injury received by the informant is stated to be simple in nature. No reason for quarrel or loot has been mentioned. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the inordinate delay in lodging the FIR with strong possibility of false implication coupled with vague nature of allegation, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned SDJM, Bhagalpur/concerned court in connection with Budhuchak P.S. Case No. 53 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each



and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

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