

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62581 of 2017

Arising Out of PS.Case No. -318 Year- 2016 Thana -RANIGANJ District- ARRARIA

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1. Bhikhan Mallah, son of Saini Mallah,
 2. Ranjit Mallah, son of Bhikhan Mallah,
 3. Ramchandra Mallah, son of Jhuksu Mallah,
 4. Maheshwari Mallah, so of Somi Mallah,
 5. Dhirendra Mallah, son of Sadan Mallah,
 6. Mithu Mallah, son of Maheshwari Mallah,
 7. Shubh Mallah, son of Saini Mallah,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Raniganj P.S. Case No. 318 of 2016, registered under Sections 147, 148, 149, 341, 342, 323, 325, 307, 379, 504 and 506 of the Indian Penal Code.

The accusation is that ten persons named in the F.I.R. including the petitioners surrounded the informant, Yoganand Bahardar, and his two brothers, Dayanand Bahardar and Mayanand Bahardar while they were going to market. At that time, on the order of petitioner no. 4 Maheshwari Mallah, Sadanand Mallah, gave iron rod blow at the head of Mayanand Bahardar, brother of



the informant. When Mayanand Bahadar fell down then Mithu Mallah (petitioner no. 6) caused injury through lathi at the head of Dayanand Bahardar, brother of informant.

Learned counsel for the petitioners submits that, in fact, petitioner nos. 1, 2, 3, 4, 5 and 7 are named in the F.I.R. but they are not the assailant of informant and his two brothers. Further submission is that while the allegation has been made against petitioner no. 6 to cause injury to Dayanand Bahardar, brother of informant, but injury as found on his person, is simple in nature. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Raniganj P.S. Case No. 318 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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