

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14685 of 2018

Arising Out of PS.Case No. -116 Year- 2017 Thana -BAHERI District- DARBHANGA

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1. Shashi Bhushan Mallik, S/o Late Sitadin Mallik,
2. Amit Mallik,
3. Sumit Mallik,
4. Samit Mallik Sl. No. 2 to 4 are Sons of Shashi Bhushan Mallik,
5. Sunita Devi W/o Shashi Bhushan Mallik, All R/o Village- Amta, P.S.- Baheri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 17-04-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in Baheri P.S. Case No.116 of 2017 instituted for the offences under Sections 147, 149, 341, 323, 324, 325, 379, 427, 307, 504 and 506 of the Indian Penal Code.

Allegation has been made that all the accused persons came and assaulted the informant and his family members by different weapons.

Learned counsel for the petitioners submits that petitioner no.5 is female and there is no serious allegation



against her. He has further submitted that injuries are simple in nature.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioner no.5, namely, Sunita Devi, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Darbhanga in connection with Baheri P.S. Case No.116 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

With respect to petitioner nos. 1 to 4, namely, Shashi Bhushan Mallik, Amit Mallik, Sumit Mallik and Samit Mallik, this Court is not inclined to enlarge them on anticipatory bail. Accordingly the prayer for bail is rejected. However, if the petitioner nos. 1 to 4 surrenders before the court below within a period of three weeks from today, the court below will pass an order on its own merit including injury report on the same day without being prejudiced by the order passed by this Court.

Vinay/-

(Shivaji Pandey, J)

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