

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57002 of 2019

Arising Out of PS. Case No.-339 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

1. Naresh Mallah, Aged about 65 years, Male, Son of Late Ramjee Mallah Resident of Village- Bagaicha, P.S.- Sonhan, Distt- Kaimur (Bhabua)
2. Bikrama Mallah @ Bikrama Malah, Aged about 60 years, Male, Son of Late Ramjee Mallah, Resident of Village Bagaicha, P.S. Sonhan, Distt Kaimur (Bhabua)
3. Umesh Mallah @ Umesh Malah, Aged about 25 years, Male, Son of Naresh Mallah, Resident of Village Bagaicha, P.S. Sonhan, Distt. Kaimur (Bhabua)
4. Sunil Mallah, Aged about 22 years, Male, Son of Naresh Mallah, Resident of Village- Bagaicha, P.S.- Sonhan, Distt- Kaimur (Bhabua)
5. Radhe Shyam Mallah, Aged about 24 years, Male, Son of Bikrama Mallah Resident of Village- Bagaicha, P.S.- Sonhan, Distt- Kaimur (Bhabua)
6. Awadhesh Mallah @ Awadhesh Maullah, Aged about 30 years, Male, Son of Late Megha Mallah, Resident of Village- Bagaicha, P.S.- Sonhan, Distt- Kaimur (Bhabua)
7. Upendra Mallah, Aged about 28 years, Male, Son of Suresh Mallah, Resident of Village- Bagaicha, P.S.- Sonhan, Distt- Kaimur (Bhabua)
8. Manoj Mallah, Aged about 25 years, Male, Son of Suresh Mallah, Resident of Village- Bagaicha, P.S.- Sonhan, Distt- Kaimur (Bhabua)
9. Ramesh Mallah @ Ramesh Malah, Aged about 25 years, Male, Son of Kuldeep Mallah, Resident of Village Bagaicha, P.S. Sonhan, Distt Kaimur (Bhabua)
10. Satyendra Mallah @ Satyendra Malah, Aged about 24 years, Male, Son of Kedar Mallah, Resident of Village Bagaicha, P.S. Sonhan, Distt Kaimur (Bhabua)
11. Nagendra Mallah, Aged about 25 years, Male, Son of Suresh Mallah Resident of Village- Bagaicha, P.S.- Sonhan, Distt- Kaimur (Bhabua)
12. Kedar Mallah, Aged about 55 years, Male, Son of Late Ramjee Mallah Resident of Village- Bagaicha, P.S.- Sonhan, Distt- Kaimur (Bhabua)
13. Dinesh Chaudhary @ Dinesh Maubah, Aged about 28 years, Male, Son of Suresh Mallah, Resident of Village- Bagaicha, P.S.- Sonhan, Distt- Kaimur (Bhabua)
14. Jagarnath Chaudhary @ Jagannath Chaudhary @ Jagarnath Maullah, Aged about 32 years, Male, Son of Kuldeep Mallah, Resident of Village- Bagaicha, P.S.- Sonhan, Distt- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :



For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-09-2019 Heard both sides.

The petitioners apprehend their arrest in Bhabua (Sonhan) P.S. Case No.339 of 2019, registered under Sections 147, 148, 149, 323, 332, 337, 307, 353 and 504 of the Indian Penal Code.

The informant disclosed that he along with other police officials went to arrest Munna Malah who is an accused in Mohania P.S. Case No.234 of 2019, registered under Section 395 of the Indian Penal Code but Munna Malah, wife of Munna Malah and other villagers became agitated and started assaulting the police personnel. Many police personnel got injuries.

Learned counsel for the petitioners submits that in fact the police came to the house of Munna Malah and tried to outrage the modesty of the wife of Munna Malah and for that the villagers made protest and filed Complaint Case No.732 of 2019 but on the fact of it, it appears that when the police went to arrest the suspect of a case registered under Section 395 of the Indian Penal Code, namely, Munna Malah, the petitioners and others made violent protest and assaulted the police officials.

Taking into consideration the facts that the petitioners



and others not only put hindrance in discharge of official duty of the police while they had gone to arrest Munna Malah but also assaulted the police officials causing injuries to them, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Prabhat Kumar Jha, J)

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