

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13116 of 2020**

Arising Out of PS. Case No.-257 Year-2019 Thana- SURSAND District- Sitamarhi

1. Gouri Mallik, Son of Lotan Mallik, Resident of Village - Birrakh, P.S.- Sursand, Distt - Sitamarhi.
2. Lalu Mallik, Son of Late Rameshwar Mallik, Resident of Village - Birrakh, P.S.- Sursand, Distt - Sitamarhi.
3. Ranjeet Mallik, Son of Lotan Mallik, Resident of Village - Birrakh, P.S.- Sursand, Distt - Sitamarhi.
4. Anil Mallik, Son of Chandeshwar Mallik, Resident of Village - Birrakh, P.S.- Sursand, Distt - Sitamarhi.
5. Sarwan Kumar @ Srawan Mallik, Son of Parikshan Mallik, Resident of Village - Birrakh, P.S.- Sursand, Distt - Sitamarhi.
6. Kundan Mallik @ Kumdan Mallik @ Kundan Kuma, Son of Lalu Mallik, Resident of Village - Birrakh, P.S.- Sursand, Distt - Sitamarhi.
7. Chandeshwar Mallik, Son of Rameshwar Mallik, Resident of Village - Birrakh, P.S.- Sursand, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar, Advocate.  
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

2      13-08-2020                      Let the defect no. 6(5), as pointed out by the stamp reporter, be ignored.

Heard Mr. Sanjay Kumar, learned counsel for the petitioners and Mr. Ajay Kumar Jha, learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Sursand P.S. Case No. 257 of 2019, registered under



Sections 341, 323, 307, 379, 354 and 504/34 of the Indian Penal Code.

The accusation is that on 20.07.2019, at about 11 A.M., all seven petitioners came at the door of the informant, Sunita Devi and started to abuse saying that why you are helping to Meena Devi, on which, informant and her husband, Bijay Mallick made protest saying that they are not indulging for helping to Meena Devi. At that time, Ranjeet Mallik (petitioner no.3) gave iron rod blow at the head of her husband, Bijay Mallik due to which, he fell down and thereafter, Gauri Mallik (petitioner no.1) gave Farsa blow causing injury at his head. At that time, Lalu Mallik (petitioner no.2) also gave knife blow near the eye of her husband and others also caused injury through iron rod. In the meantime, Sarwan Mallik (petitioner no. 5) snatched silver Hasuli from the neck of the informant. When her brother-in-law came there then he was also assaulted. Thereafter, her husband was rushed to PHC, Sursand.

Learned counsel for the petitioners submits that due to petty dispute, hot talk was exchanged in between petitioners and the informant's side, in which, informant, her husband and brother-in-law sustained simple injury, which would appear from Annexure 3 of the petition, but with ulterior motive the



present case has been lodged with false allegation. 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 learned Judicial Magistrate Ist Class, Pupri at Sitamarhi, in connection with Sursand P.S. Case No. 257 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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