

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82718 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. MUNNA MALLAH S/o Late Shiv Mallah,
 2. Shyam Narayan Mallah,
 3. Shankar Mallah @ Shankar Prasad,
 4. Satya Narayan Mallah,
 5. Rajendra Mallah,
All Sons of Late Vishwanath Mallah,
 6. Awadhesh Mallah, S/o Munshi Mallah,
 7. Munshi Mallah, S/o Late Swaroop Mallah,
 8. Alok Mallah, S/o Nandu Mallah,
 9. Bhola Mallah S/o Shyam Narayan Mallah,
All Residents of Village- Masahi, P.S.- Bhagawanpur, District- Kaimur
(Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Achhaibar Singh
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 341, 323,
324, 504, 506, 354 (B) and 34 of the Indian Penal Code.

Prosecution case is that the informant has alleged that
his wife was coming back after doing her agricultural work was



abused and attacked with *lathi-danda* by the petitioners and on hearing her shouts his daughters who was pregnant rushed to save her. However, the petitioners outraged the modesty his wife and daughters and the petitioner no. 9 attacked his wife with a *tangi* as a result of which she suffered serious injuries on her left hand. Thereafter other petitioners also attacked his daughters. On hearing the commotion when villagers started rushing to the spot the petitioners while threatening his wife and daughters fled away from the spot.

Learned counsel for the petitioners submits that there is case and counter case and the petitioners have been made accused due to land dispute between the parties. There is no specific allegation against the petitioners. The injuries are simple in nature. The petitioners have got no criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhabhua in connection with



Bhagwanpur P.S. Case No. 136 of 2019, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bails.”

(Prabhat Kumar Singh, J)

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