

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34356 of 2020

Arising Out of PS. Case No.-1226 Year-2018 Thana- SAHARSA District- Saharsa

RAVI KUMAR @ RAVI MALIK @ RAVI KUMAR MALLIK son of
Jitendra Malik, Resident of Gandhi Path, Harijan Colony, Ward No- 08,
Saharsa, P.S, District- Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-01-2021 Heard both sides.

Petitioner seeks bail in Saharsa Sadar P.S. Case No.1226 of 2018 registered under Sections 147, 148, 149, 341, 323, 379, 354, 302, 504, 506 and 384 of the IPC and under Section 27 of the Arms Act.

The informant alleged that on 14.11.2018 while the informant along with her family members was resting inside her house, Gabbar Mallik, Kanhaiya Mallik, Raja Mallik, Chandan Kumar and Ravi Mallik (petitioner) having armed with different weapons came inside the house and they started assaulting the informant and Kokila Devi (mother-in-law of the informant). Sonu Kumar (brother-in-law of the informant) objected and tried to save his mother but the accused persons also assaulted



him with stick, iron rod and fists. Umesh Sah (husband of the informant) was on the roof of the house but Gabbar Mallik, Kanhaiya Mallik and Raja Mallik fired on the husband of the informant. The husband of the informant got firearm injury on his chest and died. Gabbar Mallik snatched a gold chain from the neck of the informant.

Learned counsel for the petitioner submits that the petitioner is of course named in the F.I.R. and the petitioner and other accused persons are alleged to have assaulted the informant, her mother-in-law and her brother-in-law but they got simple injury. Three persons, namely, Gabbar Mallik, Kanhaiya Mallik and Raja Mallik are alleged to have fired on Umesh Sah but Raja Mallik has already been granted bail vide order dated 22.05.2019 passed in Cr.Misc.No.25203 of 2019, but it appears that during course of investigation, two witnesses including the mother of the deceased are said to have disclosed that Gabbar Mallik fired which hit Umesh Sah (deceased) and on that ground Raja Mallik has been granted bail. The informant, her mother-in-law and her brother-in-law got simple injury.

Taking into consideration the facts that the petitioner is not the assailant of the deceased and he is alleged to have



assaulted the informant, her mother-in-law and her brother-in-law, who received simple injury and for that the petitioner is in jail since 08.06.2020, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No.1226 of 2018.

(Prabhat Kumar Jha, J)

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