

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40286 of 2021**

Arising Out of PS. Case No.-288 Year-2020 Thana- KRITYANAND NAGAR District-
Purnia

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1. BILASH MAHALDAR Son of Late Basudeo Mahaldar
 2. Murari Mahaldar.
 3. Amar Mahaldar @ Amarnath Mahaldar both Son of Bilash Mahaldar
 4. Siwan Yadav @ Shiv Narayan Yadav Son of Late Kamal Yadav
 5. Nandan Mahaldar @ Nandan Kumar Mahaldar Son of Sitaram Mahaldar all
Resident of Kajha, Baniapatti, P.S.- K. Nagar, District- Purnea.
- Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim
For the Opposite Party/s : Mr. Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 21-03-2022 Learned counsel for the petitioners submits that the
petitioner nos. 1, 2 and 5 have been arrested by the police,
therefore, this application has become infructuous with regard to
petitioner nos. 1, 2 and 5.

Accordingly, this application is dismissed as
infructuous with regard to petitioner nos. 1, 2 and 5.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.



The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 379, 307, 427, 504, 506 and 34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant by means of lathi-danda, Dabia, Garasa with intention to kill him.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is specific allegation against the petitioner no. 2 who has already been arrested by the police. He further submits that petitioner no. 3 has two criminal antecedent whereas petitioner no. 4 has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor court in connection with K. Nagar P.S. Case No. 288 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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