

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42722 of 2022

Arising Out of PS. Case No.-234 Year-2021 Thana- TRIVENIGANJ District- Supaul

1. KRISHNADEV MALAKAR @ KISUNDEV MALAKAR Son of Nageshwar Malakar Resident of Village - Atlakha, Ward No.06, P.S.- Triveniganj, Distt.- Supaul.
2. Manu Malakar Son of Krishnadev Resident of Village - Atlakha, Ward No.06, P.S. - Triveniganj, Distt.- Supaul.
3. Babu Malakar @ Raushan Kumar Son of Krishnadev Malakar Resident of Village - Atlakha, Ward No. 06, P.S. - Triveniganj, Distt. - Supaul.
4. Bhubneshwari Malakar Son of Thithar Malakar Resident of Village - Balzora, P.S. - Triveniganj, Distt. - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Patla Kumari, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 144, 149,
342, 341, 323, 114, 308, 379, 324, 325, 385, 354(A), 504 and
506 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and petitioner no.
4 is a senior citizen, aged about 60 years and petitioners no. 2



and 3 are aged about 21 and 18 years respectively.

The informant alleges that Manu Malakar assaulted Ashok Malakar and Geeta Devi by farsa causing injury on their head and thereafter Bhubneshwari Malakar assaulted Geeta Devi and Nitish Kumar by lathi and an iron road causing injury.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that even the injury suffered by the injured is simple in nature which amply demonstrates that petitioners never had any intention of committing a serious occurrence. It is next submitted that the occurrence took place on account of dispute relating to land.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners but very fairly submits that after perusal of the case diary it appears that the injury suffered by the injured is simple in nature.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 court below where
the case is pending/successor court in connection with
Triveniganj P.S. Case No. 234 of 2021, subject to the conditions
as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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