

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34360 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- MADHUBAN District- East Champaran

1. Manju Devi DAUGHTER OF LATE MAHADEV MALI, W/O KAMLESH MALI RESIDENT OF VILLAGE- BAJITPUR, PS- MADHUBAN, DIST- EAST CHAMPARAN
2. Indu Devi WIFE OF NANDU MALI RESIDENT OF VILLAGE- BAJITPUR, PS- MADHUBAN, DIST- EAST CHAMPARAN
3. Nandu Mali @ Musa Mali SON OF LATE MAHADEV MALI RESIDENT OF VILLAGE- BAJITPUR, PS- MADHUBAN, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Usha Kumari, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 06-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 337, 325, 307, 332, 333, 353, 427, 504 and 506 of the Indian Penal Code as well as Sections 3 and 4 of the Preparation of Damage of Public Property Act, 1984.
3. Learned counsel for the petitioners submits that petitioners no. 1 and 2 are persons with clean antecedent and petitioner no. 3 has antecedent of one case. It is further submitted that informant alleges that an accident occurred as a



four wheeler vehicle dashed and entered a hut. Thereafter, a crowd gathered with an intent to assault the driver and the inmates of the car. When the informant tried to reason out with the mob, the mob was not willing to listen and even assaulted the police personnel causing injury and damaged the police vehicle and the miscreants were identified by the Chawkidar.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that the allegation of assault is general and omnibus in nature. It is next submitted that it does not appear probable that Chawkidar would have identified so many persons against whom it is alleged that they had gathered when the accident had taken place. It is also submitted that petitioners are close by residents of the place where the occurrence is alleged to have taken place and, as such, it appears that the Chawkidar falsely implicated the petitioners who are nearby residents.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let 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
Madhuban P.S. Case No. 42 of 2024, G.R. No. 611 of 2024,
subject to the conditions as laid down under Section 438 (2) of
the Cr.P.C.

(Satyavrat Verma, J)

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