

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42776 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Manish Mallah @ Manish Kumar S/o Jay Shankar Mallah, R/O Vill - Siya Pokhar, P.S. - Mohania, Dist - Kaimur, Bhabua
2. Kamlu Mallah @ Prabhat Kumar Nishad @ Kamlu Mallah S/o Manoj Mallah R/O Vill - Siya Pokhar, P.S. - Mohania, Dist - Kaimur, Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Mohania P.S. Case No.214 of 2024 instituted under Sections 323, 341, 307, 325, 379 and 34 of the Indian Penal Code.

3. As per prosecution case, petitioners are alleged to have assaulted the informant with *lathi-danda* and iron rod due to which the informant received fracture injury on his hand and left side of forehead and face. It is also alleged that petitioner no.1 snatched a chain made of gold from the neck of the informant.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case due to village politics. Petitioners are young boys having no criminal antecedents. He further submits that the allegation made against the petitioners as per the F.I.R. does not corroborate the injury report. The altercation took place on account of cutting of trees and petitioners have no concern with the said trees as alleged.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Mohania, Kaimur (Bhabua) in connection with Mohania P.S. Case No.214 of 2024, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 with further conditions that:

(i) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the



Court below and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(Sunil Dutta Mishra, J)

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