

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69164 of 2023

Arising Out of PS. Case No.-563 Year-2023 Thana- TURKAULIYA District- East
Champaran

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1. RAMESH MALI son of Bhavrik Mali Village- Gauriya Ps- Banjariya Dist- East Champaran
 2. Suresh Mali son of Bhavrik Mali Village- Gauriya Ps- Banjariya Dist- East Champaran
 3. Shambhu Mali son of Late Bhagelu Mali Village- Gauriya Ps- Banjariya Dist- East Champaran
 4. Manoj Mali son of Mahindra Mali Village- Gauriya Ps- Banjariya Dist- East Champaran
 5. Munna Mali son of Shambhu Mali Village- Gauriya Ps- Banjariya Dist- East Champaran
 6. Raju Mali son of Shambhu Mali Village- Gauriya Ps- Banjariya Dist- East Champaran
 7. Bhaurik Mali son of Late Bhagelu Mali Village- Gauriya Ps- Banjariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners has already
withdrawn the bail petition of petitioner no. 3.

3. The petitioners no. 2, 4, 5, 6 and 7 apprehend their
arrest in a case in connection with Turkauliya (Banjariya) P.S.
Case No. 563 of 2023, registered for the offences punishable



under Sections 147, 148, 149, 447, 341, 323, 324, 325, 307, 354(B) of the Indian Penal Code.

4. As per F.I.R., allegation against the petitioners along with others are of assaulted the informant and his family members. The specific allegation upon petitioner no. 1 is said to have assaulted on the head of the informant, namely Subhash Mali by means of farsa and one injury was found to be grievous in nature.

5. It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. Petitioners have got no criminal antecedent mentioned in Para 3 of the bail application.

6. Learned APP for the State has opposes the prayer for bail.

7. Considering the submissions of the parties and also nature of injury was found grievous in nature, I am not inclined to grant anticipatory bail to the petitioner no. 1

8. Hence, his prayer for anticipatory bail stands rejected.

9. Regarding other petitioners no. 2, 4, 5, 6 and 7, who have also assaulted the informant and his family members and injury was found to be simple in nature.



10. Having regard to the facts and circumstances of the case and also nature of injury was found simple in nature, let the above named petitioners no. 2, 4, 5, 6 and 7, be released on bail, in the event of their arrest, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/ successor Court in connection with Turkauliya (Banjariya) P.S. Case No. 563 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Ranjeet/-

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