

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18177 of 2025

Arising Out of PS. Case No.-191 Year-2023 Thana- GAMAHARIYA District- Madhepura

Kundan Malakar @ Kundan Kumar Malakar @ Kundan Kumar Son of Late
Lochan Malakar Resident of village- Aurahi, ward no 08, PS- Gamharia,
District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 324, 325, 354(A), 379, 427, 307, 504, 506, 34 of the Indian Penal Code.

3. The informant has alleged that on 20.10.2023 at 10 AM, co-accused Pappu Kumar was constructing a wall on the informant's land and when he (informant) objected, co-accused Pappu Kumar abused him and subsequently, other F.I.R. named accused persons arrived there and started assaulting him. This petitioner is alleged to have assaulted informant's son by means of iron rod.

4. Learned counsel for the petitioner submits that both



parties are agnates and there is land dispute between them. Case and counter case. He further submits that similarly situated co-accused Chandan Kumar and Anjay Kumar have already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 06.03.2025 passed in Cr.Misc. No. 3812 of 2025. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Madhepura in connection with Gamharia P.S. Case No. 191 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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