

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41435 of 2026

Arising Out of PS. Case No.-208 Year-2026 Thana- CHIRAIYA District- East Champaran

1. Vijay Mali S/o Late Gulam Mali Resident of Village - Pansalwa, P.S.- Chiraiya, District - East Champaran
2. Mohan Mali S/o Late Gulam Mali Resident of Village - Pansalwa, P.S.- Chiraiya, District - East Champaran
3. Sohan Mali S/o Late Gulam Mali Resident of Village - Pansalwa, P.S.- Chiraiya, District - East Champaran
4. Ramawati Devi W/o Mohan Mali Resident of Village - Pansalwa, P.S.- Chiraiya, District - East Champaran
5. Rajesh Mali @ Bhola S/o Nagina Mali Resident of Village - Kadmwa, P.S.- Ghorasahan, District - East Champaran
6. Pramod Mali S/o Nagina Mali Resident of Village - Kadmwa, P.S.- Ghorasahan, District - East Champaran
7. Sona Mali @ Sonalal Mali N/A Resident of Village Bel, P.S.- Dumra, District - Sitamarhi
8. Vir Mali @ Bir Malee S/o Jitendra Mali Resident of Belisaray, P.S.- Motihari Town, District - East Champaran
9. Saroj Mli S/o Hira Mli Resident of Village - Badka Gaiw, P.S.- Pakaridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhannjay Kumar II, Advocate.
For the Opposite Party/s	:	Mr. Satyendra Prasad, A.P.P.
For the Informant	:	Mr. Sitesh Kashyap, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

- 2 01-07-2026 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.
2. The petitioners apprehend their arrest in connection with Chiraiya P.S. Case No.208 of 2026 instituted under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 3(5)



of the B.N.S., 2023.

3. As per the prosecution case, when the informant was at his house, in the meantime all the accused persons having armed with various weapons came there and started abusing and also tried to remove from the land by saying that the same belong to us. It is further alleged that petitioner no.1 put gamcha in the neck of informant and co-accused Rekha Devi assaulted him by bamboo on his head. It is also alleged that petitioner no.3 and co-accused Rekha Devi have committed marpit with Rajendra Mali and co-accused Rajesh Mali gave knife blow on his left ear. It is alleged that accused persons have damaged and looted his house and also taken Rs.20,000/- from his pocket

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to previous enmity. He further submits that there is delay of 5 days in lodging the F.I.R. without any plausible explanation. Learned counsel submits that allegation of assault against the petitioners is general and omnibus in nature. He further submits that the injury to the injured is simple in nature. Learned counsel submits that there is land dispute between the parties due to which present case has been filed with ulterior motive. He further submits that petitioner nos.2 to 9 have got



clean antecedent whereas petitioner no.1 has one criminal antecedent which was lodged by the father-in-law of informant. Petitioners undertake to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioners, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned C.J.M., Motihari, East Champaran at Motihari/ concerned Court in connection with Chiraiya P.S. Case No.208 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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