

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48087 of 2026

Arising Out of PS. Case No.-277 Year-2025 Thana- ARERAJ District- East Champaran

1. Ravi Malik S/o Late Raju Malik Resident Of Village - Arena, Ward No. 10, P.o And P.s - Areraj, Dist - East Champaran.
2. Karan Malik S/o Ramesh Malik Resident Of Village- Arena, Ward No 10, Po And Ps- Areraj, Dist- East Champaran
3. Nandu Malik @ Nandu Kumar Malik S/o Guddu Malik Resident Of Village- Arena, Ward No 10, Po And Ps- Areraj, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Looking to the nature of allegations of overt act and assault and injury being caused to the informant's son, after some arguments, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner No.3.

3. Accordingly, the anticipatory bail application with respect to petitioner No.3 stands dismissed as withdrawn.

4. Now, the anticipatory bail application with respect to petitioner Nos.1 and 2 are being considered.

5. The petitioners are apprehending their arrest in



connection with Areraj P.S. Case No.277 of 2025, F.I.R dated 12.12.2025 registered for the offences punishable under Sections 126(2), 115(2), 89, 303(2), 109, 76, 74, 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

6. According to prosecution case, on 10.12.2025 at about 6:00 A.M., while the informant, Soni Devi Sah, was at her doorstep, all the named accused persons allegedly arrived, abused her, and accused her of getting her mother-in-law's name removed from a liquor case while implicating members of their family. It is alleged that Guddu Malik pulled the informant's hair and kicked her in the stomach, causing harm to her pregnancy. Nandu Malik allegedly assaulted her with an iron rod on the head, resulting in a head injury requiring 16 stitches. Mina Devi allegedly exhorted the co-accused to kill the informant and snatched her gold chain valued at Rs.55,000. The remaining accused are alleged to have assaulted the informant, Ravi Malik allegedly tore her clothes, and Shravan Malik allegedly attempted to strangle her. Owing to the seriousness of her injuries, she was referred from Areraj PHC to Motihari Sadar Hospital for better treatment.

7. Learned counsel for the petitioners submits that the the petitioners are falsely implicated in the present case. It has



next been submitted that the allegation against these two persons are general and omnibus in nature while, no specific allegation of assault or overt act is attributed against these two petitioners. It has further been submitted that the petitioner No.1 has three criminal antecedent and petitioner No.2 has two criminal antecedent but they are on bail in the said cases.

8. Learned APP for the State opposes the prayer for anticipatory bail application.

9. Considering the aforesaid facts and circumstances that the allegation against petitioner Nos.1 and 2 are general and omnibus in nature and the specific allegation of assault or overt act is against petitioner No.3, who is said to have caused grievous injury to the informant's son and the anticipatory bail application with respect to petitioner No.3 has already been withdrawn. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

10. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Vth Motihari, East Champaran, in



connection with Areraj P.S. Case No.277 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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