

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50329 of 2014

Arising Out of PS.Case No. -160 Year- 2013 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Shankar Mukhiya, son of Late Chulhai Mukhiya
 2. Raghunath Mukhiya, son of Late Chandradeo Mukhiya
 3. Hira Mukhiya, son of Late Ram Nath Mukhiya
 4. Chanchan Mukhiya, son of Late Ram Nath Mukhiya
 5. Mathar Mukhiya, son of Late Yogendra Mukhiya
 6. Balister Mukhiya, son of Late Yogendra Mukhiya
 7. Timan Mukhiya, son of Late Chandradeo Mukhiya
- All are resident of village Harkatwa, P.S. – Adapur, District – East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Anil Kumar

For the Opposite Party : Mr. Md.Aslam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

4. 22-05-2015 The petitioners apprehend their arrest in relation to Adapur P.S. Case No. 160/2013 registered under Sections 147, 148, 149, 323, 324, 307, 380, 504 of the Indian Penal Code and Section 27 of the Arms Act.

It is stated that petitioner no. 6 namely, Balister Mukhiya has been arrested, and as such, this application in relation to him has become infructuous.

Accordingly, this application is dismissed as having become infructuous only with regard to petitioner no. 6.

So far as other petitioners are concerned, it is submitted that for an incident that took place on 03.09.2013, a complaint was filed on 30.09.2013

which was referred to police under Section 156(3) of Cr.P.C. on the basis of which First Information Report was registered being Adapur P.S. Case No. 160/2013.

It is *inter alia* alleged that petitioners in drunken stage started misbehave with sister-in-law of the informant, entered into the house and assaulted family members. It is submitted that neither in the complaint nor in the case diary, there is any mention about any injury report much less any serious injury to anyone.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks, let the above-named petitioners be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Raxaul at Motihari, in connection with Adapur P.S. Case No. 160/2013, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

Rajeev/-

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