

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39275 of 2014

Arising Out of PS.Case No. -42 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jagarnath Mukhiya
 2. Ram Tapashya Mukhiya Both sons of Ramavtar Mukhiya
 3. Dina Nath Mukhiya, son of Jagarnath Mukhiya
 4. Suresh Mukhiya , sono f Avilash Mukhiya
 5. Ram Chandra Mukhiya, sonof Ganpath Mukhiya
 6. Jay Ram Mukhiya, son of Doda Mukhiya
 7. Naresh Mukhiya son of Jagarnath Mukhiya
 8. Mishrilal Mukhiya son of Gorath Mukhiya, all residents of village-
Thikanha Bankat, P.S. Pakridayal, District East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Md. Anasharul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

2 20-03-2015 Heard learned counsel for the parties.

Mr. Abhishek Kumar on instructions of Mr. Umesh Chandra Verma learned counsel for the petitioners prays for withdrawal of this application in so far as petitioner No.1 Jagarnath Mukhiya and petitioner No. 2 Ram Tapashya Mukhiya is concerned in as much as both have been arrested.

This application in so far as petitioner No.1 Jagarnath Mukhiya and petitioner No.2 Ram Tapashya Mukhiya is concerned, is dismissed as withdrawn.

The petitioner Nos. 3 to 8 apprehend their arrest in

connection with Pakaridayal P.S. Case No. 42 of 2014 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 506 and 504 of the Indian Penal Code.

Learned counsel with reference to the F.I.R. submits that even when the name of these petitioners appear in the F.I.R. and they have been collectively charged with assault but there is no specific allegation against either of these petitioners.

Having heard learned counsel for the parties and taking note of the circumstances, let the petitioners namely, Dina Nath Mukhiya, Suresh Mukhiya, Ram Chandra Mukhiya, Jay Ram Mukhiya, Naresh Mukhiya and Mishrilal Mukhiya in the event of their arrest/surrender within four weeks from today, be released on bail upon each of them furnishing individual bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sikrahana, East Chamaparan at Motihari in connection with Pakaridayal P.S. Case No. 42 of 2014 subject to the conditions stipulated under Section 438(2) of the Code of Criminal Procedure.

This application is allowed in part.

(Jyoti Saran, J)

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