

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38501 of 2015

Arising Out of PS.Case No. -376 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jagu Mukhiya Son of Chandra Mukhiya
 2. Umesh Mukhiya Son of Chandra Mukhiya
 3. Sonelal Mukhiya Son of Sugriv Mukhiya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-09-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 324, 307, 379 and 427 of the Indian Penal Code.

The prosecution case is that on 08.05.2015 when the marriage ceremony of grand-daughter of the informant was being performed, the accused persons came, abused the informant's side and petitioner no.1 namely Jagu Mukhiya assaulted with 'lathi' to the informant when nephew of the informant came to rescue then he was assaulted by petitioner

nos. 2 (Umesh Mukhiya) and 3 (Sonelal Mukhiya). It is also alleged against petitioner no.2 (Umesh Mukhiya) to have snatched Rs.11,500/- from the pocket of the informant. The accused persons damaged D.J. and generator. The accused persons also assaulted the informant's daughter-in-law.

It is submitted by learned counsel for the petitioners that for a petty dispute the accusation has been levelled. There is counter version of the occurrence also. For the occurrence of 08.05.2015, the FIR was lodged on 13.05.2015. Moreover, A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. The injury has been found to be simple in nature, a statement to that effect has been made in paragraph 10 to the petition, which reads as follows :-

"10. That it is respectfully submitted that the injuries are simple in nature."

Considering the delayed lodging of the case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari, East Champaran in connection with Turkauliya (Banjaria) P.S.

Case No.376 of 2015, subject to the conditions as laid down
under Section 438(2) Cr.P.C.

Ashwini/-

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(Dinesh Kumar Singh, J)