

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12671 of 2016

Arising Out of PS.Case No. -197 Year- 2015 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Krishna Mukhiya,
 2. Niranjan Mukhiya alias Niranjan Kumar,
 3. Narsingh Mukhiya alias Narsing Mukhiya
 4. Sandeep Mukhiya alias Sandeep Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Archana Jha

For the Opposite Party/s : Mr. Ajit Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

- 2 18-03-2016 Heard learned counsels for the petitioners and the State.
- The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,324 and 354B/34 of the Indian Penal Code.
- The prosecution case is that on 25.6.2015 the informant was making ridge in his land when the accused persons came variously armed, surrounded the informant and assaulted him. When the sister in law of the informant came to rescue then she was also being assaulted. When the brother of the informant came to rescue then he was assaulted by petitioner no. 3 by farsa on his head. Petitioner no. 1 assaulted with lathi and caused fracture injury to the informant. Petitioner no. 4 Sandeep Mukhia and

petitioner no. 2 Niranjan Mukhia pushed down the sister in law of the informant and tore her blouse.

It is submitted by the learned counsel for the petitioners that the petitioners are agnates of the informant and in the background of land dispute the accusation has been levelled. It is further submitted that the injury of the informant side has been found to be simple in nature caused by hard and blunt substance whereas the accusation of making assault by petitioner no. 3 Narsingh Mukhia is by farsa. There is counter version of the occurrence. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for three months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned JM, West Champaran at Bettiah in connection with Yogapatti (Sanichari) P.S. Case No. 197 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners shall be confirmed by the learned court below on verification that the

informant side have not received any grievous injury. In case it is found otherwise then the petitioners will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Anil/-

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