

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14089 of 2016

Arising Out of PS.Case No. -77 Year- 2015 Thana -GWALPARA District-
MADHEPURA

- =====
1. PAAPU MUKHIYA S/O MUNNA MUKHIYA.
 2. WAKIL MUKHIYA S/O MUNNA MUKHIYA.
 3. PINKU MUKHIYA S/O DINESH MUKHIYA.
 4. RINKU MUKHIYA S/O DINESH MUKHIYA.
 5. JEERA MUKHIYA S/O LATE RAMJEE MUKHIYA.

All are residents of Village- Beergown, Tola Tapra, Police
Station-Gwalpara, District-Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kr. Singh, Adv.

For the Opposite Party/s : Mr. M.Haque (App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 20-04-2016 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Gwalpara P.S. Case No.77 of 2015, disclosing
offences under Sections 341, 323, 324, 325, 307, 452, 379,
504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners does not press this application, so far it relates to petitioner Nos.1, 3 and 5.

Accordingly, this application, so far it relates to petitioner Nos.1, 3 and 5, stands dismissed as not pressed.

So far as petitioner Nos.2 and 4 are concerned, learned counsel for the petitioners has submitted that there is no allegation of assault against them and they have no criminal antecedent. He further submits that there is no likelihood of tampering with the evidence by petitioner Nos.2 and 4, if they are granted the privilege of anticipatory bail.

Considering the submission, as above, this application is allowed. Let the petitioner Nos.2 and 4, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **Sri Ashok Kumar-IInd, learned Judicial Magistrate-Ist Class, Uda-Kishunganj, Madhepura**, in connection with **Gwalpara P.S. Case No.77 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the

petitioner Nos.2 and 4, abovenamed, shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

So far as petitioner Nos.1, 3 and 5, abovenamed, are concerned, they are directed to surrender before the court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their application for bail shall be considered on its own merit without being prejudiced by withdrawal of their present application.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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