

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47345 of 2016

Arising Out of PS.Case No. -258 Year- 2015 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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Surendra Mukhiya, son of Sri Dhanraj Mukhiya resident of village-
Chanpatia, Ward No.02, P.S.- Chanpatia, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party : Mr. Sri Satyendra Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Chanpatia P.S. Case No. 258 of 2015, registered for the offences punishable under Sections 143, 341, 323, 354(A), 354(B), 385 and 149 of the Indian Penal Code.

Allegedly, the petitioner, his wife, his son and father-in-law started assaulting the informant with *danda* and *labada* and thereafter the petitioner caught the hair of the informant and got her down and bite in her left breast and further they demanded Rs. 3,00000/- as ransom otherwise she will not be allowed to construct the house.

Submission is of false implication and that the petitioner has lodged Complaint Case No. 2246(C) of 2015 against



the husband of the informant on 29.09.2015, proceeding under Sections 107 and 144 Cr.P.C. proceedings are going on and Title Suit is also going on. The injury report does not support the prosecution version. The doctor has found only abrasion on left breast caused by hard and blunt object and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that there is allegation in the First Information Report against the petitioner.

In the facts and circumstances as stated above, considering that the case lodged by the petitioner is of a much earlier which is against the husband of the informant and others and further considering the long enmity, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rakesh Kumar Tiwari, learned Additional Chief Judicial Magistrate, Sadar, West Champaran at Bettiah, in connection with Chanpatia P.S. Case No. 258 of 2015, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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