

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26195 of 2016**

Arising Out of PS.Case No. -57 Year- 2016 Thana -BIHRA District- SAHARSA

- =====
1. Raja Ram Mukhiya, Son of Shiv Narayan Mukhiya,
  2. Bam Shankar Mukhiya, Son of Shiv Narayan Mukhiya,
  3. Bhushan Mukhiya @ Shashi Bhushan Mukhiya, Son of Shiv Narayan Mukhiya.

All residents of Village- Sihaul, P.S.- Bihra, District- Saharsa.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Amarnath Jha, Advocate  
For the State : Mr. Sri Binod Kumar, A.P.P.

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**  
**ORAL ORDER**

2      01-07-2016                      Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case filed under Sections 302/120(B) of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged that one Mahendra Kumar stopped the motorcycle of the brother of the informant and as soon as the motorcycle was stopped, Pawan Kumar and Bhagwan Jha made indiscriminate firing causing fatal injury to the brother of

the informant, who succumbed to the injury. Against the petitioner and others, allegation has been made that the present Mukhiya and husband of other candidates of Mukhiya had threatened on earlier occasion and informant had named about 16 persons on the basis of suspicion.

It is contended that petitioners along with several other persons have been named in the first information report only on the basis of suspicion. It is further contended that petitioner's father had filed a case against the informant in the year 2006. It is urged that one of the co-accused, Anil Kumar Jha, who is on identical footing, has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 28.06.2016 passed in Criminal Miscellaneous No.25627 of 2016, a copy of the order has been produced at the time of hearing.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in Bihra P.S. Case No.57/2016, the above named petitioners, Raja Ram Mukhiya, Bam Shankar Mukhiya and Bhushan Mukhiya @ Shashi Bhushan Mukhiya shall be released on bail on furnishing bail bond of Rs.10,000( Ten Thousand Rupees) each with two sureties of the like amount

each to the satisfaction of the Chief Judicial Magistrate,  
Saharsa subject to the conditions as laid down under sub-  
section(2) of Section 438 of the Code of Criminal Procedure.

**(Dr. Ravi Ranjan, J)**

Sanjay-II/-

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