

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37967 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -MANIGACHI District- DARBHANGA

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Shivji Mukhiya, son of Faudar Mukhiya, residents of Village- Dasaut,
Police Station- Alinagar, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar, Advocate

For the State : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-09-2016

I have heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in a case registered
for offences punishable under Sections 447, 323, 324, 307, 452
and 504/34 of the Indian Penal Code and Section 27 of the Arms
Act.

Learned counsel for the petitioner submits that so
far this petitioner is concerned, it is alleged in the F.I.R. that he
along with Mohan Mukhiya @ Fushi Mukhiya has assaulted
Suresh Mukhiya by farsa due to which his left finger was severed.
However, it is contended that there is no injury report and from the
letter no.810 dated 08.07.2016 (Annexure 3) written by the
DMCH to the officer-in-charge of the police station concerned, it
appears that Suresh Mukhiya went there for treatment but after the

police case was registered he did not receive any treatment and left the hospital, therefore, no injury report could be given. Subsequently, a case was lodged by the petitioner's side also. It is further urged that petitioner is having clean antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Manigachhi P.S. Case No. 59 of 2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga 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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