

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42101 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -JAMALPUR District- DARBHANGA

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1. Sanjay Mukhiya Son of Ram , Chandra Mukhiya Resident of Village-
Chatar Ghat, O.P. Bargaun, Police Station- Jamalpur, District Darbhanga./

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad

For the Opposite Party/s : Mr. (Dr.) Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 03-10-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Jamalpur Police Station Case No. 49 of 2016,
disclosing offences under Section 147, 148, 149, 341, 323,
324, 307, 379 and 504 of the Indian Penal Code.

Learned Counsel for the petitioner has
submitted that prior to lodging of the present First
Information Report, the mother of co-accused Deepak
Mukhiya had lodged a First Information Report in which the
informant is an accused for commission of offence under
Sections 452, 376 and 511 of the Indian Penal Code.
According to him, lodging of the present First Information
Report is a counter blast of the previous case lodged
against the informant. It has further been submitted that as
a matter of fact, the informant received injuries because of

the occurrence, which have been narrated in Jamalpur Police Station Case No. 35 of 2016. The petitioner has no criminal antecedent, as stated in paragraph 3 of the application.

Considering the above submissions, this application is allowed.

Let the petitioner, Sanjay Mukhiya, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Sub Divisional Judicial Magistrate, Biraul, Darbhanga, in connection with Jamalpur Police Station Case No. 49 of 2016, 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 shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-c

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