

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48149 of 2017

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1. Pappu Kumar Mukhiya @ Pappu Kr. Mukhiya Son of Sanjay Mukhiya,
 2. Sushil Kumar Mukhiya @ Sushil Kr. Mukhiya, Son of Shambhu Mukhiya @ Shamprabhu Mukhiya, both resident of Village- Dudhadhari, Police Station- Bhaptiyahi, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun-Advocate

For the Opposite Party/s : Mr. Dilip Kumar-A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

02 18-10-2017

Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor.

Both the petitioners along with their associate, whose name has been disclosed, as Ramesh Mukhiya pounced upon the informant, assaulted him and one of them namely Ramesh Mukhiya slipped with his motorcycle while both the petitioners were apprehended along with motorcycle which they were carrying since before and on search, the Samsung Mobile set booty of the crime belonging to the informant was recovered from the petitioner no.2 Sushil Kumar Mukhiya @ Sushil Kr. Mukhiya. Petitioners have got criminal antecedent as is evident from Para-3.

It has been submitted on behalf of learned counsel for the petitioners that recovery happens to be only against petitioner



no.2 and not against petitioner no.1. Also challenged the manner of apprehension of the petitioners in a way as disclosed by the prosecution. Apart from this, also submitted that petitioners happen to be under custody since 05.05.2017.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

Considering the allegation, prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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