

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33042 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -GHANSHYAMPUR District- DARBHANGA
=====

1. Govind Mukhiya, son of Late Jangal Mukhiya,
2. Chhedi Mukhiya, S/o Govind Mukhiya,
3. Gopal Mukhiya, sons of Govind Mukhiya, All resident of Village-
Punahad, Tola- Gorhyari, P.S.- Ghanshyampur, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Dr. Satyendra Kumar Srivastava

For the Opposite Party/s : Mr. Narendra Kumar Singh
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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 26-07-2017 Heard learned counsel for the petitioners and learned
counsel for the State as well as the informant.

The petitioners seek anticipatory bail in a case
instituted for the offences under Sections 341, 323, 324, 307,
379 and 504/34 of the Indian Penal Code.

As per First Information Report accused persons have
surrounded and assaulted the victim. Govind Mukhiya is order
giver. There is specific allegation against petitioners Chhedi
Mukhiya and Gopal Mukhiya. There is a case and counter
case.

Looking to the facts and circumstances of the case, in
the event of arrest or surrender within four weeks from today,



let petitioner no.1, namely, Govind Mukhiya, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Biraul, Darbhanga in connection with Ghanshyampur P.S. Case No.17 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner nos. 2 and 3, namely, Chhedi Mukhiya and Gopal Mukhiya are concerned, this Court is not inclined to enlarge them on anticipatory bail. Accordingly the prayer for bail is rejected. However, if the petitioners surrender before the court below within a period of four weeks from today, the court below will pass an order on the same day on its own merit without being prejudiced by the order passed by this Court.

Vinay/-

(Shivaji Pandey, J)

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