

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9043 of 2017

Arising Out of PS.Case No. -215 Year- 2016 Thana -MANIGACHI District- DARBHANGA

- =====
1. Mahendra Mukhiya, son of Chhedi Mukhia.
 2. Sumit Mukhiya, son of Mahendra Mukhiya. Both are Resident of Village- Baghant, Police Station- Manigachhi, District- Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-03-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Manigachhi P.S.Case No. 215 of 2016 registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that prior to lodging of this case petitioner No.1 has lodged a complaint case against the informant and others and even, according to FIR, the petitioners are alleged to have assaulted the informant and one other but the injuries are simple in nature and they have remained in custody since 29.11.2016.

Heard learned APP also, who has not controverted the aforesaid submission.

Having heard both sides and considering the fact that there is case and counter case between the parties and injuries are



simple in nature, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Darbhanga, in connection with Manigachhi P.S.Case No. 215 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioners will not induce any witness or tamper with the evidence.

(iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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