

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6484 of 2018

Arising Out of PS.Case No. -85 Year- 2017 Thana -RAHIKA District- MADHUBANI

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1. Shivan Mukhiya, son of Late Janki Mukhiya,
2. Sanjeev Mukhiya, Son of Ram Narayan Mukhiya, resident of Village-
Ram Nagar, P.S. Rahika, District- Madhubani.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Gagan Deo Yadav

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 26.06.2017 in connection with Rahika P.S. Case No. 85 of 2017 for the offences alleged under Sections 302,34 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated and the thrust of accusation of slitting the neck of the informant's mother is on co-accused Ranjan Mukhiya and Bishun Mukhiya. The said Ranjan Mukhiya has been granted bail by this Court in Cr. Misc. No. 53982 of 2017. The accusations against the petitioners are general and omnibus in nature and no overt act has been attributed to the petitioners. The informant is not the eye witness to the alleged occurrence. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above



named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Rahika P.S. Case No. 85 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/-

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