

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72759 of 2018

Arising Out of PS. Case No.-96 Year-2017 Thana- BASANHI District- Saharsa

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1. Sahdev Mukhiya, S/o Chumit Mukhiya
2. Guneshwar Mukhiya, S/o Late Dukha Mukhiya
Both Residents of Village- Mokma, P.S. Basnahi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 20-12-2018 The petitioners seek bail in anticipation of their arrest in connection with Basnahi P.S. Case No. 96 of 2017, dated 23.10.2017, instituted for the offences under Sections 341, 323, 384, 307, 504 and 506/34 of the Indian Penal Code.

While the son of the informant was repairing his hut, the petitioners and others are alleged to have assaulted the informant and her husband by means of *lathi* and other



hard blunt substance. The injuries suffered by the husband of the informant is stated to be simple in nature, whereas the opinion regarding the injuries suffered by the informant has been kept reserved.

The learned counsel for the petitioners has submitted that the allegation of assault is attributed to many accused persons including the petitioners in a general manner and nothing specific has been alleged against the petitioners. It has further been submitted that petitioner No. 1 had earlier filed a case against the husband of the informant *vide* Basnahai P.S. Case No. 95 of 2017.

Regard being had to the aforesaid facts as also taking into account that the occurrence arose because of some dispute over competing claims over a plot of land and that the petitioners have clean antecedents, they, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of
learned Addl. Chief Judicial Magistrate-III, Saharsa, in
connection with Basnahi P.S. Case No. 96 of 2017, subject
to the conditions laid down under Section 438(2) of the
Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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