

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12604 of 2018

Arising Out of PS.Case No. -26 Year- 1996 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

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1. Deva Mukhiya @ Dewa Mukhiya @ Deba Mukhiya S/o Late Parma Mukhiya, R/o Village- Chhota Tola, Rampur, P.S.- Darpa, District- East Champaran. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 23-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

According to FIR, the petitioner and others took the father of the deceased alongwith them and thereafter dead body of the father of informant was recovered. The petitioner had moved this Court for anticipatory bail in Cr.Misc.No.13886 of 2012 and considering the merit of the case, this Court observed in last paragraph as follows:

“I see no reason for the learned court below not to give privilege of regular bail to the petitioners if the petitioners



surrender before the learned court below within a period of six weeks from today in connection with Darpa P.S.Case No.26 of 1996, Trial No. 2445 of 2008 pending in the court of learned Sub-divisional Judicial Magistrate, Raxaul at Motihari and pray for regular bail”.

The aforesaid observation was made by a Coordinate Bench considering the fact that during investigation, the accusation against the petitioner was found false and final form was submitted by the police.

The aforesaid observation and material is sufficient to grant regular bail to the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Darpa P.S.Case No.26 of 1996, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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