

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.70307 of 2018**

Arising Out of PS. Case No.-151 Year-2018 Thana- SIKARPUR District- West Champaran

1. Banshi Mukhiya Son of Late Sheo Nandan Mukhiya.
2. Pramod Mukhiya Son of Sheo Parsan Mukhiya.
3. Kumod Mukhiya Son of Sheo Parsan Mukhiya.
4. Dhamu Mukhiya, Son of Duryodhan Mukhiya.
5. Sukat Mukhiya, Son of Banshi Mukhiya.
6. Ramu Mukhiya Son of Duryodhan Mukhiya. All are Resident of Village- Bakhari Madarsa, Police Station- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2     18-12-2018

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Shikarpur P.S. Case No. 108 of 2014, disclosing offences under Sections 147, 148, 149, 323, 324, 307, 379, 354 and 504 of the Indian Penal Code.

Learned counsel, appearing on behalf of the petitioners submits, referring to the FIR, that there is no allegation of any overt act against these petitioners, though there is such allegation against co-accused persons, namely, Sheo Prasan Mukhiya, Raju Mukhiya and Rajdeo Mukhiya.

Learned counsel, appearing on behalf of the informant



has opposed the prayer for grant of anticipatory bail.

However, considering the nature of accusations against these petitioners, in the absence of any specific allegation of assault against them, in my view, a case for grant of anticipatory bail is made out. The application is accordingly allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in Shikarpur P.S. Case No. 151 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

HR/-

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