

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44612 of 2018

Arising Out of PS. Case No.-63 Year-2018 Thana- GOPALPUR District- West Champaran

1. Rumali Mukhiya son of late Sitaram Mukhiya
2. Lal Bahadur Mukhiya son of late Deo Narayan Mukhiya
3. Lalan Mukhiya son of late Chandradeo Mukhiya
4. Baban Mukhiya son of late Chandradeo Mukhiya
5. Bhagrasan Mukhiya son of late Saryug Mukhiya
6. Munni Mukhiya son of Shri Rumali Mukhiya
7. Kashi Mukhiya son of Ramashray Mukhiya
8. Dudhan Mukhiya son of late Singhasan Mukhiya
9. Laljee Mukhiya son of Damodar Mukhiya
10. Om Prakash Mukhiya son of Lalan Mukhiya All are residents of village - Moglahiya, Police Station - Gopalpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP 243

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-07-2018 Heard the learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Gopalpur P.S. Case No. 63 of 2018 registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 354B, 380, 384, 307, 504 and 506 of the Indian Penal Code.

Allegation against the petitioners is of assault to the informant and specific allegation is against no. 3, Lalan Mukhiya, that he torn the blouse of Deyadani Sudama Kunwar



and petitioner no. 4, Baban Mukhiya, of assault by lathi to the informant and petitioner no. 5, Bhagrasan Mukhiya, that he damaged the wall.

Submission of the learned counsel for the petitioners is that there is case and counter case and the injuries are simple in nature.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, named above, in the event of arrest or surrender before the Court below, within a period of six weeks from the date of order, 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 learned Chief Judicial Magistrate, West Champarand at Bettiah, in connection with Gopalpur P.S. Case No. 63 of 2018 subject to the condition as laid down under Section 438(2) of the Criminal Procedure Code as well as with following conditions :

(I) One of the bailors of each of the petitioners shall be a local person, having sufficient immovable property within the jurisdiction of the concerned Court.

(II) The petitioners will not induce any witness or



tamper with evidence.

(III) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his/their bail bond(s).

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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