

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16506 of 2019

Arising Out of PS. Case No.-114 Year-2018 Thana- SARSI District- Purnia

1. Nunu Babu Mukhiya @ Nunu Lal Mukhiya, son of Parmanand Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
2. Subodh Mukhiya, son of Parmanand Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
3. Panchu Mukhiya, son of Late Asharfi Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
4. Parmanand Mukhiya, son of Late Asharfi Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
5. Bidhanand @ Bidayanand Mukhiya, son of Late Laxman Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
6. Domi Mukhiya, son of Laxman Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
7. Mantu Mukhiya, son of Late Laxman Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
8. Bhulan Mukhiya @ Jhulan Mukhiya, son of Bhagwani Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
9. Bhedi Mukhiya, son of Bhagwani Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
10. Chandan Mukhiya, son of Narayan Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
11. Rajo Mukhiya, son of Narayan Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
12. Shankar Mukhiya, son of Ram Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.
13. Shubhankar Mukhiya @ Shuvankar Mukhiya, son of Ram Mukhiya, resident of Village-Maharana Tola, Kachhari Baluwa, P.S-Sarsi, Distt.-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv
		Mr. Bidhu Ranjan, Adv
For the Opposite Party/s :		Mr.Kanhaiya Kishore (App)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-03-2019 The petitioners seek bail in anticipation of their



arrest in connection with Sarsi P.S. Case No. 114 of 2018 dated 29.08.2018 instituted for the offences under Sections 341, 323, 504, 506, 34 of the Indian Penal Code and Section 3/4 of the Prevention of Witch Practices Act, 1999.

After some arguments, Mr. N. K. Agrawal, learned senior advocate, seeks permission to withdraw the application with respect to petitioner No. 1/Nunu Babu Mukhiya @ Nunu Lal Mukhiya in order to enable him to surrender before the Court below and seek regular bail. Should such an application be filed on behalf of petitioner No. 1/Nunu Babu Mukhiya @ Nunu Lal Mukhiya, the Court below shall take into account all aspects and pass orders in accordance with law without being prejudiced by the fact that the application for anticipatory bail of petitioner No. 1 has not been entertained.

The application with respect to petitioner No. 1/Nunu Babu Mukhiya @ Nunu Lal Mukhiya is dismissed



as withdrawn with the liberty aforesaid.

So far as other petitioners are concerned, the allegation against them is general and omnibus in nature of assaulting the informant and other members of the family. Earlier, a case of rape was lodged against an accused of the prosecution side, which case is still pending. The present case is only by way of retaliation to the earlier case lodged. The petitioners hail from the same village and the cause/genesis of the occurrence lies elsewhere.

The petitioners do not have any criminal antecedents.

Regard being had to the aforesaid facts, the petitioner Nos. 2 to 13, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Purnea in connection with Sarsi P.S.
Case No. 114 of 2018, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Shageer/-

U		T	
---	--	---	--

