

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13639 of 2019

Arising Out of PS. Case No.-200 Year-2018 Thana- KESARIA District- East Champaran

1. Raju Mukhiya, Son of Bachchu Mukhiya Resident of Village - Bankat Mafi, P.s.- Kessariya, Distt.- East Champaran.
2. Tunnu Mukhiya Son of Late Bhushan Mukhya Resident of Village - Bankat Mafi, P.s.- Kessariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 18-06-2019 Learned counsel appearing on behalf of the petitioners seeks permission to withdraw the application filed on behalf of petitioner No.2, namely, Tannu Mukhiya as he has already been apprehended by the Police.

In view of the above submission, the application filed on behalf of petitioner No.2, namely, Tannu Mukhiya is dismissed as withdrawn.

Heard learned counsel for the petitioner No.1, namely, Raju Mukhiya and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kesariya P.S. Case no. 200 of 2018, registered under Sections 341, 323, 324, 307, 447, 379, 504 and 506/34 of the



Indian Penal Code.

The accusation is that on 02.06.2018, four persons named in the F.I.R, including the petitioner, entered in the house of informant and started to abuse. At that time, they caused injury at the head of Gini Mukhiya, father-in-law of the informant, who fell down on the ground. It is alleged that informant had objected to sale the liquor by petitioner Raju Mukhiya. At that time, they also snatched golden ornaments of the informant.

Learned counsel for the petitioner No. 1 submits that due to grudge, the occurrence of Marpit took place in which petitioner's side also sustained injury regarding which Kesariya P.S. Case No. 199 of 2018 was instituted on the basis of fardbeyan of Rinku Devi, wife of petitioner No.1, Raju Mukhiya. Moreover, the injuries as found on the person of informant and his father is simple in nature. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner No.1, namely, Raju Mukhiya, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten



thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-XI, East Champaran, Motihari in connection with Kesariya P.S. Case No. 200 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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