

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16856 of 2019

Arising Out of PS. Case No.-591 Year-2018 Thana- SAUR BAZAR District- Saharsa

1. Asharfi Mukhiya (Male), aged about 60 years, Son of Late Meghu Mukhiya
 2. Anandi Mukhiya, aged about 62 years, Son of Late Meghu Mukhiya
 3. Lalan Mukhiya (Male), aged about 45 years, Son of Late Meghu Mukhiya
 4. Anil Mukhiya (Male), aged about 45 years, Son of Asharfi Mukhiya
 5. Binod Mukhiya (Male), aged about 38 years, Son of Anandi Mukhiya
 6. Fulo Mukhiya (Male), aged about 50 years, Son of Late Devo Mukhiya
 7. Kuldev Mukhiya (Male), aged about 48 years, Son of Late Devo Mukhiya
 8. Ram Chandra Mukhiya (Male), aged about 52 years, Son of Late Neguru Mukhiya
 9. Manish Mukhiya @ Manish Kumar (Male), aged about 22 years, Son of Kuldeo Mukhiya
- All residents of village- Kishanpur Tola, Kamrel Ward No. 6, P.S.- Sour Bazar (Patarghat O.P), District- Saharsa.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Dr. Amarendra Kumar,
		Mr. Md. Anisur Rahman, Advocates
For the Opposite Party	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-03-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 307, 379, 354 and 506/34 of the Indian Penal Code registered in connection with Sour Bazar (Patarghat OP) P.S. Case No. 591 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. The accusation of assault is general and omnibus without any specific assault attributed to the petitioners



individually. The injuries sustained by the informant's side are simple in nature. The injuries have also been sustained by the petitioners' side. The petitioners are accused in one case of different nature instituted by the informant's side.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar (Patarghat OP) P.S. Case No. 591 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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