

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33438 of 2019

Arising Out of PS. Case No.-88 Year-2018 Thana- DARPA District- East Champaran

1. UMESH KUMAR MUKHIYA Son of Late Raj Bansi Mukhiya Resident of Village- Tinkoni, P.S.- Darpa, District- East Champaran.
2. Rudal Mukhiya Son of Mansi Mukhia Resident of Village- Masahi, P.S.- Chhauradano, District- East Champaran.
3. Dinesh Sahni Son of Ramshish Sahani @ Ram Ashis Sahni Resident of Village- Sukh Lahia, P.S.- Darpa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh
For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-08-2019 Learned counsel for the petitioners seeks permission to withdraw this application against petitioner no. 1 Umesh Kumar Mukhiya.

Permission is granted.

The application is dismissed as withdrawn against petitioner no. 1.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 342, 307, 302, 120B, 506/34 of the Indian Penal Code and Section 27 of



the Arms Act.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. In fact, there is general and omnibus allegation against the petitioners. As a matter of fact, the informant has committed forgery in the Samiti and the matter is reported by the petitioners to concerned controlling authority to the Samiti to stop the illegal affairs of the Samiti and on account of the same, the petitioners have falsely been implicated in this case. There is specific allegation against the co-accused Sanjay and Jitendra to fire upon the deceased. It is further submitted that similarly co-accused has been granted the privilege of anticipatory bail by co-ordinate Bench of this Court in Cr. Misc. No. 20305 of 2019 dated 23.05.2019.

In the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at Motihari in connection with Darpa Police Station Case No. 88 of 2018,



subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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