

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33077 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- CHOUTARWA District- West Champaran

1. Manager Mukhiya @ Manager Bin, Aged about 35 years, Male, Son of Late Ram Nath Mukhiya Resident of Village-Bathwariya, Police Station-Bathwariya, District-West Champaran.
2. Jag Mukhiya @ Jag Bin, Aged about 25 years, Male, Son of Late Ram Nath Mukhiya Resident of Village-Bathwariya, Police Station-Bathwariya, District-West Champaran.
3. Suraj Mukhiya @ Suraj Bin, Aged about 50 years, Male, Son of Late Birjhan Mukhiya Resident of Village-Bathwariya, Police Station-Bathwariya, District-West Champaran.
4. Chingi Mukhiya @ Chingi Bin, Aged about 30 years, Male, Son of Butti Mukhiya Resident of Village-Bathwariya, Police Station-Bathwariya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-05-2019 At the very outset, learned counsel for the petitioners submits that petitioner no.1, Manager Mukhiya @ Manager Bin and petitioner no.3, Suraj Mukhiya @ Suraj Bin have already been arrested.

In this view of the fact, the anticipatory bail of petitioner no.1, Manager Mukhiya @ Manager Bin and petitioner no.3, Suraj Mukhiya @ Suraj Bin is dismissed as has become infructuous.

Heard both sides.



Petitioners apprehend their arrest in Choutarawa (Bathwariya) P.S. Case No.21 of 2019, registered under Section 307 and other sections of the Indian Penal Code.

The informant, Manoj Mahto named the petitioners along with other accused persons and disclosed that Jag Mukhiya, Suraj Mukhiya and Bijli Mukhiya assaulted him with lathi. Manager Mukhiya, who has already been arrested, assaulted him with farsa.

Learned counsel for the petitioners submits that from perusal of the injury report of Manoj Mahto, it appears that Manoj Mahto sustained two lacerated injuries, which are superficial and simple in nature. Four persons are alleged to have assaulted the informant and only two injuries, that too superficial and simple nature, are found on the person of the informant. On account of some petty dispute, altercation took place between the two sides and both sides entered into scuffle.

Considering the facts aforesaid and nature of allegations made against the petitioners, let petitioner nos.2 and 4, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned A.C.J.M., Bagaha,
West Champaran in connection with Choutarawa (Bathwariya)
P.S. Case No.21 of 2019, subject to the conditions laid down
under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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