

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71680 of 2018

Arising Out of PS. Case No.-120 Year-2018 Thana- MAHISHI District- Saharsa

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1. Mahabir Mukhia
 2. Prabhu Mukhia
 - Both nos. 1 & 2 are sons of Umesh Mukhiya.
 3. Pramod Mukhia @ Pramod Kumar son of Pacho Mukhia.
 4. Umesh Mukhia son of Bateshwar Mukhia,
 5. Rajesh Mukhia son of Lali Mukhia.
 6. Triveni Mukhia son of Bateshwar Mukhia.
- All are residents of Village- Laxmipur Ghoura, Police Station Mahishi, District- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhas Ranjan

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners seeks permission of the Court
to withdraw this application so far as petitioner nos. 2 and 3 are
concerned as they have been taken into judicial custody.

Permission is accorded.

The application in respect of petitioner nos. 2 and 3 is
dismissed as withdrawn.

The petitioner nos. 1 and 4 to 6 are apprehending their
arrest in a case registered under Sections 147, 148, 149, 341, 323,
324, 307, 385, 504 and 379 of the Indian Penal Code.

The prosecution case, in short, is that while the informant



was engaged in carrying soil, the accused persons came and assaulted him due to which he sustained injuries.

It has been submitted on behalf of the petitioner nos. 1 and 4 to 6 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 1 and 4 to 6. The petitioner nos. 1 and 4 to 6 have falsely been implicated in the present case. A free fight is alleged to have taken place. General and omnibus allegation has been made against the petitioner nos. 1 and 4 to 6.

On behalf of the State, it is submitted that the petitioner nos. 1 and 4 to 6 are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner nos. 1 and 4 to 6, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saharsa in connection with Mahishi P.S. Case No. 120/2018, G.R. No. 1391 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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