

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75103 of 2018

Arising Out of PS. Case No.-33 Year-2018 Thana- BHEJA District- Madhubani

- =====
1. Jahari Devi and Ors wife of Ram Narayan Mukhiya
 2. Ram Dai Devi wife of Bhola Mukhiya
 3. Meena Devi wife of Gaunor Mukhiya,
 4. Amarjit Mukhiya @ Amar Mukhiya, son of Bhola Mukhiya,
 5. Raman Kumar Mukhiya @ Raman Mukhiya son of Bhola Mukhiya,
 6. Mithu Kumar Mukhiya @ Mithu Mukhiya, son of Gaunor Mukhiya, All resident of Village- Daldal, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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with

Criminal Miscellaneous No. 75809 of 2018

Arising Out of PS. Case No.-33 Year-2018 Thana- BHEJA District- Madhubani

- =====
1. Om Prakash Mukhiya and Ors Son of Ram Narayan Mukhiya
 2. Bhola Mukhiya Son of Late Kapleshwar Mukhiya,
 3. Ganaur Mukhiya, Son of Late Kapleshwar Mukhiya,
 4. Lalan Mukhiya @ Lalan Kumar, Son of Bhola Mukhiya, All resident of Village- Daldal, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

(In Criminal Miscellaneous No. 75103 of 2018)

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Sri Narsingh Tanti

(In Criminal Miscellaneous No. 75809 of 2018)

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL ORDER

3 20-02-2019 Both the applications are being heard and

disposed of together as both of them arisen out of same P.S.



Case.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bheja P.S. Case No. 33 of 2018 for the offence punishable under Sections 147, 148, 149, 341, 323, 324,, 325, 354, 448, 307, 302 and 504 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have not committed any offence. In fact, there is land dispute between the parties and on account of that altercation took place. The specific allegation is attributed to co-accused Ram Narayan Mukhiya and the petitioner Amar and general and omnibus allegations have been made against rest of the petitioners. Some of the petitioners are ladies who have nothing to do with the alleged occurrence and they have falsely been implicated in this case. Hence, the petitioners may be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case and the nature of allegations, let the petitioner Nos.1, 2, and



3, namely, Jahari Devi, Ram Dai Devi and Meena Devi, in the event of surrender within a period of four weeks be released 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., Jhanjharpur, Madhubani in connection with Bheja P.S. Case No. 33 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

So far as petitioner Nos 4, 5 and 6 in Cr. Misc. No. 75103 of 2018 and the petitioner Nos. 1 to 4 in Cr. Misc. No.75809 of 2018 are concerned, considering the nature of allegation of assault against them, this Court is not inclined to grant the privilege of anticipatory bail to them. Accordingly, the prayer for anticipatory bail of these petitioner are rejected.

(Arvind Srivastava, J)

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