

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61719 of 2019

Arising Out of PS. Case No.-592 Year-2018 Thana- SAUR BAZAR District- Saharsa

1. Rajindra Mukhiya, Son of Late Dasai Mukhiya Resident of Village- Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
2. Mukesh Mukhiya Son of Pulkit Mukhiya Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
3. Pulkit Mukhiya Son of Late Nunulal Mukhiya Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
4. Bijen Mukhiya Son of Late Nunulal Mukhiya Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
5. Rajo Mukhiya Son of Late Nunulal Mukhiya Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
6. Shankar Mukhiya S/o Dayanand Mukhiya Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
7. Prabhash Kumar Son of Pulkit Mukhiya Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
8. Sunil Sah Son of Late Asharfi Sah Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
9. Shiv Nandan Kumar Son of Bijen Mukhiya Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
10. Sanjeev Sah Son of Late Asharfi Sah Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
11. Balkrishna Kumar Son of Rajo Mukhiya Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.
12. Suresh Sada Son of Ramjee Sada Resident of Village-Kamrail Tola Kishanpur, P.S.- Sour Bazar (Patarghat O.P.), District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.



The petitioners apprehend their arrest in connection with Sour Bazar (Patarghat O.P) P.S. Case no. 592 of 2018, registered under Sections 341, 323, 307, 379, 354, 504 and 506/34 of the Indian Penal Code.

The accusation is that 27 persons named in the F.I.R., including the petitioners, variously armed with weapons came at the door of informant Asharfi Mukhiya and made compliant as to why the land is being measured while Title Suit is pending then informant replied that the land is being measured by the order of Circle Officer then all started pelting stones and causing assault through lathi in which informant and his other family members sustained injury.

Learned counsel for the petitioners submits that all the injuries as found on the person of informant and others are found simple in nature, except, the injury as found on the person of Fulo Mukhiya and Kiran Devi. Further submission is that while the petitioners are named in the F.I.R., but there are general allegation of pelting stones and causing assault to the informant and others. Moreover, co-accused Asha Devi and nine others have already been granted privilege of pre-arrest bail by this Court on 04.09.2019 vide Criminal Miscellaneous No. 56201 of 2019. The petitioners have no criminal



antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saur Bazar (Patarghat O.P) P.S. Case No. 592 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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