

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64499 of 2019

Arising Out of PS. Case No.-76 Year-2018 Thana- BHIMPUR District- Supaul

DEO NR. MUKHIA Son of Gulabchand Mukhiya Resident of Village -
Jiwachhpur, P.S.- Bhimpur, Distt - Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Ashraf Ansari

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bhimpur P.S. Case no. 76 of 2018, registered under
Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506
of the Indian Penal Code.

The accusation is that on 28.11.2018, the informant
Arbind Mukhiya his father and his maternal uncle Jawahar
Mukhiya were returning to his house boarding on the
motorcycle, in the way, 15 persons named in the F.I.R.
including the petitioner variously armed with weapons
surrounded the informant and started to cause assault. At that
time, Santosh Mukhiya and Rajendra Mukhiya spread chilly
power and Radhe Shyam Mukhiya and petitioner gave axe



blow at the forehead of Premlal Mukhiya, father of informant, while all tried to carry his father boarding on tractor. At that time, Harinarayan Mukhiya took cash of Rs. 1200/- from his pocket.

Learned counsel for the petitioner submits that occurrence of Marpit took place due to land dispute in which petitioner's side also sustained injury regarding which Bhimpur P.S. Case No. 77 of 2018 was instituted on the basis of fardbeyan of Hari Narayan Mukhiya against the informant and others. Moreover, the injuries as found on the father of informant are simple in nature. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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 A.C.J.M-II, Supaul in connection with Bhimpur P.S. Case No. 76 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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