

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73030 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- BIHARIGANJ District- Madhepura

1. Sanjay Mukhiya @ Sanjay Kumar, male, aged about 46 years, Son of Asarfi Mukhiya
2. Santosh Mukhiya @ Santosh Kumar, male, aged about 26 years, Son of Indranand Mukhiya
Both resident of Village - Sarouni Kala Bitta Tola Ward No. 14, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh
For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 20-11-2019 Heard learned counsel for the parties.

Two petitioners, apprehending their arrest in Bihariganj P.S. Case No. 140 of 2019 registered for the offence under Sections 341, 323, 147, 379, 504, 506, 34 of the Indian Penal Code, have prayed for grant of bail.

Learned counsel for the petitioners submits that as per F.I.R., there is allegation of assault against petitioners and others as also snatching of one silver chain worth Rs. 4,000/- (four thousand) from informant's wife by the petitioner no. 1 (Sanjay Mukhiya), whereas, Santosh Mukhiya (petitioner no. 2) is said to have misbehaved with informant's wife. He further submits that due to village politics, petitioners have been named in the



F.I.R. and there is land dispute in between the parties. The Petitioners are having clean antecedent also.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let both petitioners above named 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 learned Judicial Magistrate First Class, Udakishunganj, Distt. - Madhepura in connection with Bihariganj P.S. Case No. 140 of 2019 on following conditions:

(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the Court below.

(2) If the petitioners temper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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