

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73307 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- MURLIGANJ District- Madhepura

RAM NATH MUKHIYA Son of Suren Mukhiya @ Surendra Mukhiya
Resident of Village - Rampur, Ward No.05, P.S.- Murliganj, Distt.-
Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner is in custody since 29.08.2019 in
connection with Murliganj P.S. Case No. 09 of 2019 for the
offence registered under Sections 147, 148, 149, 347, 323
and 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
dispute had arisen between the parties with regard to the
deposit of soil which have been provided to the BPL
families. It is further submitted that as per the first
information report, the persons, who were entrusted with
giving soil to the BPL families stopped providing the same



to the family of the informant, as a result of which, one Raj Kumar Mukhiya stopped the Tractor and took away the keys which resulted in the dispute. Learned counsel for the petitioner submits that it is further alleged in the first information report that some persons which also included the petitioner came to the house of the informant and started hurling abuses and finally attacked the brother of the informant with rod which resulted in his death.

Learned counsel for the petitioner further submits that though the petitioner is named to be one of the persons who had collected at the house of the informant, there is no specific allegation attributed to the present petitioner and all allegations as made out against the accused persons are general and omnibus in nature. It is further submitted that the rod blow which ultimately led to the death of the brother of the informant cannot in any way be attributed or saddled on the shoulders of the present petitioner.

Considering the aforesaid facts and circumstances of the case and the nature of allegation and that the petitioner has no criminal antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of



Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhepura . in connection with Murliganj P.S. Case No. 09 of 2019.

(Anjana Mishra, J)

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