

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9021 of 2020

Arising Out of PS. Case No.-95 Year-2019 Thana- NAUHATTA District- Saharsa

1. BRAHMDEO MUKHIA Son of Late Adhanu Mukhia Resident of Village - Bakunia, P.S. - Nauhatta (Darhar O.P.), District - Saharsa.
2. Pramila Devi @ Prameela Debi Wife of Late Brahmdeo Muhia Resident of Village - Bakunia, P.S. - Nauhatta (Darhar O.P.), District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-03-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Nauhatta P.S. Case No. 95 of 2019 for the offence punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.

The allegation is regarding the petitioners having indulged in assaulting the informant and his family members as also had tried to outrage the modesty of the female members.

The learned counsel for the petitioners has submitted that a general and omnibus allegation has been levelled against the petitioners and no such incident, as alleged, has ever taken



place. It is further submitted that the petitioners are having a clean antecedent and a bare perusal of the impugned order dated 16.01.2020 would show that there is no injury report in the case diary so as to indicate that the members of the prosecution party had received any injury and moreover, apparently, there is delay in lodging the FIR.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners, I deem it fit and proper to direct for release of the petitioners on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners, above named, are directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Nauhatta P.S. Case No. 95 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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