

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14005 of 2020

Arising Out of PS. Case No.-264 Year-2019 Thana- BAIRIYA District- West Champaran

1. ROSHAN MUKHIYA S/o Sri Ganesh Mukhiya Resident of Village-Balua Rampurwa, Dharharwa Tola, P.S.-Bairiya, District-West Champaran
2. Jitan Mukhiya S/o Sri Basudeo Mukhiya Resident of Village-Balua Rampurwa, Dharharwa Tola, P.S.-Bairiya, District-West Champaran
3. Biran Mukhiya S/o Sri Deoraj Mukhiya Resident of Village-Balua Rampurwa, Dharharwa Tola, P.S.-Bairiya, District-West Champaran
4. Tetari Devi W/o Ganesh Mukhiya Resident of Village-Balua Rampurwa, Dharharwa Tola, P.S.-Bairiya, District-West Champaran
5. Munnalal Mukhiya @ Munnalal Mukhiya S/o Sri Basudeo Mukhiya Resident of Village-Balua Rampurwa, Dharharwa Tola, P.S.-Bairiya, District-West Champaran
6. Subelal Mukhiya S/o Sri Basudeo Mukhiya Resident of Village-Balua Rampurwa, Dharharwa Tola, P.S.-Bairiya, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 447, 341, 323, 324,



307, 354, 504, 506 of the Indian Penal Code.

The prosecution case, in short, is that while the informant demanded money from the accused persons which was given in advance, the accused persons, variously armed, assaulted him due to which he sustained injury. The family members came in rescue were also assaulted by the accused persons.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The alleged occurrence is said to have taken place due to petty reasons. The nature of injury caused by petitioner no. 3 upon Antia Kumari is said to be simple in nature. As far as injury of Basant Mukhiya is concerned, the same is superficial in nature. No specific injury is attributed against the rest of the accused persons.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail



on their personal bonds to the satisfaction of learned A.C.J.M.
-I, West Champaran at Bettiah in connection with Bairiya P.S.
Case No. 264 of 2019, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioners shall
furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with
two sureties of the like amount each within a period of seven
weeks to the satisfaction of the Court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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