

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79802 of 2019

Arising Out of PS. Case No.-82 Year-2017 Thana- SATHI District- West Champaran

1. BRIJESH MUKHIYA S/o Late Ghuti Mukhiya Resident of Village- Basantpur, P.S.- Sathi, District- West Champaran.
2. Sikendra Mukhiya @ Shikendra Mukhiya S/o Ghuti Mukhiya Resident of Village- Basantpur, P.S.- Sathi, District- West Champaran.
3. Inal Mukhiya S/o Shivnath Mukhiya Resident of Village- Basantpur, P.S.- Sathi, District- West Champaran.
4. Madan Mukhiya S/o Shivnath Mukhiya Resident of Village- Basantpur, P.S.- Sathi, District- West Champaran.
5. Badhu Mukhiya @ Budha Mukhiya S/o Shivnath Mukhiya Resident of Village- Basantpur, P.S.- Sathi, District- West Champaran.
6. Shivnath Mukhiya S/o Lotan Mukhiya Resident of Village- Basantpur, P.S.- Sathi, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur
For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 08-09-2020 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 341, 323, 354(B), 379, 504, 447/34 of



the Indian Penal Code.

Allegation is that accused Brijesh Mukhiya came at the door of the informant in drunken state and caught the informant with wrong intention and broken her blouse and the accused persons including the petitioners assaulted the informant. When her son came there, the accused persons also assaulted him and they taken the ornaments of the informant and fled away.

It has been submitted on behalf of the petitioners that the petitioners No.2 to 6 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The date of occurrence is 21.05.2017 and the case was instituted on 03.06.2017. Delay has not been explained by the prosecution. Counter case was filed by the accused side on 25.05.2017, which is Annexure 2 to the present application. There is land dispute between the parties.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds



of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Sathi P.S. case No.82 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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