

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15531 of 2021

Arising Out of PS. Case No.-429 Year-2019 Thana- BAKHTIARPUR District- Saharsa

Sudhir Mukhiya Son of Late Dukhan Mukhiya Resident of village- Khajuri,
P.S. - Bakhatiyarpur, District - Saharsa. Presently residing at Bargaon,
Govindpur- Goriari, P.S. - Basnahi, District - Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 14-12-2021 The applicant/accused in Crime No. 429 of 2019 registered with Bakhatiyarpur Police Station for the offences punishable under sections 148, 149, 341, 323, 324, 307, 302, 506 and 504 of the Indian Penal Code, by this application is seeking his release on bail during pendency of the trial after rejection of his earlier application bearing No. 17496 of 2020 vicde order dated 23.6.2020 by my learned predecessor.

Heard both sides. Perused the material placed before me.

Earlier the bail application of the applicant was rejected by the order dated 23.6.2020 and this Court is unable to find out any specific reason for rejection of his earlier application.



Perusal of the FIR shows that similar allegations were made against co-accused Chandradeo Mukhiya, Laxmi Mukhiya, Suresh Mukhiya and Dinesh Mukhiya who were granted bail by the very same order. Be that as it may, as the coordinate bench of this Court while rejecting the application so far as the present applicant is concerned, had granted liberty to him to move before this Court again for bail if the trial is not concluded in six months, and as the trial is not concluded during this period, the present application is entertained.

The allegations against the applicant and other co-accused are to the effect that by means of sticks they assaulted Lilo Mukhiya who died because of injury suffered by him. The other co-accused are directed to be released on bail by very same order, and therefore, the following order.

The application is allowed.

The applicant/accused in Crime No. 429 of 2019 registered with Bakhatiyarpur Police Station is directed to be released on bail on executing P.R. Bond of Rs. 25,000/- (Twenty five Thousand) on furnishing sureties of the like amount to the satisfaction of the trial court with the following conditions:-

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the



facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should not repeat the trial in expeditious disposal of the trial against him.

(III) The applicant to remove all office objections forthwith and the Registry to issue bail-writ as per this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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