

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7206 of 2022

Arising Out of PS. Case No.-86 Year-2020 Thana- BHIMPUR District- Supaul

1. MAHANAND MUKHIYA S/o Foudar Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
2. Salo Devi W/o Arvind Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
3. Rita Kumari S/o Arvind Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
4. Parmeshwari Devi W/o Mahanand Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
5. Ashok Mukhiya @ Ashok Kumar Mukhiya S/o Foudar Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
6. Sangita Devi W/o Dilip Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
7. Mantu Mukhiya @ Mantu Kumar Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
8. Ajay Mukhiya @ Ajay Kumar Son of Mahanand Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
9. Bhim Mukhiya S/o Mahanand Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
10. Shishawati Devi W/o Mukhendra Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
11. Guddi Devi W/o Fulendra Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.
12. Fulendra Mukhiya S/o Narayan Mukhiya Resident of Village- Giwachpur, P.S.- Pratapganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioner/s : Mr.Vivek Kumar
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.



Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehends their arrest in a case registered for the offence punishable under section 147, 148, 149, 341, 323, 354, 379, 307, 504 and 506 of the Indian Penal Code.

Allegedly, while making the encroached site free from encroachment, the government work was obstructed by the petitioners and the government employees were attacked with bricks, stones and sticks.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. No independent witness have supported the prosecution case. Their names transpired in the F.I.R. only on the basis of statement of the chowkidar. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.



Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Bhimpur P.S. Case No. 86 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

