

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5747 of 2022

Arising Out of PS. Case No.-249 Year-2020 Thana- NAUTAN District- West Champaran

Sheoraj Mukhiya @ Shivraj Mukhiya, S/o Late Chunni Mukhiya, Resident of
Village- Laxmipur, P.S.- Nautan, District - west Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

In the present case, the petitioner seeks bail in connection
with Nautan P.S. Case No. 249 of 2020 registered for the alleged
offence under Sections 341/323/325/307/336/337/379/34 of the
Indian Penal Code.

The prosecution case is that in the background of some
land dispute, the petitioner and other co-accused persons
assaulted the informant, his brother and mother. The co-accused
Binod Mukhiya threw a brick on the head of the informant and
threatened him with life.

It has been submitted by the learned counsel for the



petitioner that the informant has purchased only 19 dhurs of land from the petitioner, but he tried to take possession of bigger area and when it was objected by the petitioner, the dispute took place and the informant has given an exaggerated version of the occurrence. Further, there is no specific accusation of any overt act against the petitioner and the brother of the informant has sustained simple injury. There is general and omnibus allegation against the petitioner, who is in custody since 14.06.2021.

The learned APP has opposed the prayer of bail, submitting that the petitioner and other co-accused persons assaulted the informant and his family members.

Having regard to the submissions made hereinabove and considering the fact that there is no specific allegation against the petitioner, who is in custody for about a year and the occurrence took place due to some land dispute, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautan P.S. Case No.249 of 2020, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.



(iii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

