

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15899 of 2021

Arising Out of PS. Case No.-23 Year-2020 Thana- TRIVENIGANJ District- Supaul

1. SATYA NARAYAN MUKHIYA S/O LAXMI MUKHIYA R/O VILLAGE/MOHALLA-KHORIYA MISSION, P.S-TRIVENIGANJ, DISTRICT-SUPAUL.
2. AMOD KUMAR MUKHIYA @ AMOD MUKHIYA S/O SATYANRAYAN MUKHIYA R/O VILLAGE/MOHALLA-KHORIYA MISSION, P.S.-TRIVENIGANJ, DISTRICT-SUPAUL.
3. SANJAY KUKHIYA S/O JAGDEO MUKHIY R/O VILLAGE/MOHALLA-KHORIYA MISSION, P.S.-TRIVENIGANJ, DISTRICT-SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2022 Heard learned counsel for the petitioners and learned APP
for the State through virtual court proceedings.

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

Petitioners apprehend their arrest in connection with Triveniganj P.S. Case No.23 of 2020, registered for the offence punishable under sections 341, 323, 332, 188, 353, 504, 34 of the IPC.



The prosecution case in short is that after taking the order of the District Magistrate, Supaul, the informant alongwith other officials came on place of occurrence for vacating the alleged lands but the FIR named accused persons protested the same and abused the officials by refusing to vacate the land.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and have not committed any offence. They have been falsely implicated in this case due to dirty politics in the village and locality. The alleged land was purchased by the co-accused Sanjay Mukhiya against the name of his grandfather through sale deed and till today Government raid has been paid by him. It is submitted that on the alleged land, petitioners are residing since long and constructed pucca building and the informant without any notice came to vacate the house, as such, the petitioners prayed to go from there but the informant started to assault them and falsely implicated them. It is further alleged that the petitioners have been damaged by the informant and other officials by tractors and the petitioners have protested the same. Petitioners have challenged the order of the District Magistrate of vacating the land before the Hon'ble High Court and the informant in collusion with the land Mafia, has instituted this false case. Petitioners have no



criminal antecedent, as such, they may be enlarged on anticipatory bail.

Learned APP for the State opposed the prayer for bail.

In the facts and circumstance of the case, the above named petitioners, in the event of their surrender/arrest before the learned Court below within a period of six weeks from today, are directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul, in connection with Triveniganj P.S. Case No.23 of 2020, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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