

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30317 of 2021**

Arising Out of PS. Case No.-42 Year-2020 Thana- BALTHAR District- West Champaran

1. Deoraj Mukhiya
2. Chokati Mukhiya both Son of Late Chhathu Mukhiya @ Late Chotu Mukhiya Resident of Village - Parsauni, Balthar, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Dilip Kr. No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 18-01-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through the virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307 504 of the Indian Penal Code and Section 25 (1-B) (a)/26 of the Arms Act.

Allegation against the petitioners is that they came armed with Bhala, gadasa and guns and started destroying the



seeds. On objection by the informant, they started hurling abuses and fired from rifle

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is land dispute between the parties. He submits that there is specific allegation of firing against co-accused Dharmesh Mukhiya and Havaladar Mukhiya. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioners, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 connection with Balthar P.S. Case



No. 42 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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