

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22682 of 2022

Arising Out of PS. Case No.-137 Year-2021 Thana- BHAPTIAHI District- Supaul

BIMAL MUKHIYA S/o Sukhdev Mukhiya R/o village- Garhia, P.S.-
Bhaptiyahi, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv.

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner 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 petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 379, 307, 354(A), 504/34 of the Indian Penal Code.

Allegedly, the petitioner is said to have assaulted the wife of informant by means of lathi and the informant with Khanti.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. There is an inordinate delay of five days in lodging the F.I.R., which creates doubt about the prosecution case. The informant and the petitioner are own brothers and there is a land dispute between the parties. It is submitted that the injuries are simple in nature. Petitioner has two criminal antecedents.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is a land dispute between the parties and injuries are said to be simple in nature, let the above named petitioner, be released on bail, in the event of his 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) 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 Bhaptiyahi P.S. Case No.137/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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