

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37303 of 2021

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

1. Yodhan Mukhiya @ Yodan Mukhiya S/o Sri Julum Mukhiya
2. Shrawan Mukhiya @ Sarwan Mukhiya S/o Yugul Mukhiya
3. Dharmesh Mukhiya @ Dharmesh Mukhiya S/o Sri Yogi Mukhiya
4. Gama Mukhiya S/o Late Bhuli Mukhiya all R/o village- Parsauni, P.S.- Balthar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-02-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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.

Petitioners are said to have abused the informant and on order of Dharmesh Mukhiya, Havaldar Mukhiya fired from his rifle as a result of which the pellet crossed causing simple injury in left shoulder and left side of chest of the informant.

It is submitted by learned counsel for the



petitioners that petitioners are innocent and have been falsely implicated in this case due to admitted land dispute. He submits that petitioners are said to be members of unlawful assembly. There is specific allegation against co-accused Havaladar Mukhiya who fired upon the informant. He submits that there is general and omnibus allegation levelled against the petitioners. He further submits that petitioner has 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, 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.

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(Anjani Kumar Sharan, J)

