

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12360 of 2023

Arising Out of PS. Case No.-276 Year-2020 Thana- RAGHOPUR District- Supaul

1. Shankar Mukhiya S/O Bhutan Mukhiya R/V- Sarhochiya (Ward No- 03), P.S.- Raghapur, District- Supaul
2. Raj Kishor Mukhiya S/O Sadanand Mukhiya R/V- Sarhochiya (Ward No- 03), P.S.- Raghapur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 Learned counsel for the petitioners submits that the petitioner no. 2 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 2.

Permission is granted.

Accordingly, this application with regard to petitioner no. 2 is dismissed as withdrawn.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 447, 341, 323, 324, 307, 354B, 379, 504, 506 of the Indian Penal Code.

Petitioner along with other accused persons are said to have assaulted Bijendra Mukhiya by means of farsa.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case due to land dispute. He submits that the injury found upon the victim is simple in nature. He submits that petitioner and others also sustained injuries. There is free fighting between the parties, hence no case under Section 307 of the IPC is made out against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his 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) 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 Raghapur P.S. Case No. 276 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

