

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11920 of 2023**

Arising Out of PS. Case No.-127 Year-2021 Thana- SALAKHUA District- Saharsa

1. SURESH MUKHIA @ SURESH MUKHIYA Son of Kamal Mukhiya Resident of Village - Chanan, P.S.- Salkhua (Chiraiya O.P.), District - Saharsa
2. Subodh Kumar @ Subodh Kumar Mahto Son of Suresh Mahto Resident of Village - Chanan, P.S.- Salkhua (Chiraiya O.P.), District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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

2 27-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 342, 323, 308, 354(A), 379, 427, 448 and 504 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

The petitioners along with other co-accused persons are said to have entered into the house of the informant with deadly weapons and looted the ornaments made of gold from the family members of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus



allegation against the petitioners. He submits that there is no specific overt act against the petitioners. He further submits that there is admitted land dispute between the parties. He further submits that petitioner no.1 has got two criminal antecedents and petitioner no.2 has got three criminal antecedents as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioners, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Salkhua (Chiraiya OP) P.S. Case No.127/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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