

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53927 of 2023

Arising Out of PS. Case No.-78 Year-2020 Thana- RANIGANJ District- Araria

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Dhiro @ Durganand Kumar Mukhiya @ Durganand Mukhia @ Dhiro
Mukhiya S/O Vaidyanath Mukhiya R/O Village- Balbhadra Nagar Ward No.
03, Ps. Birpur, Dist. Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case in nutshell is that the
accused persons including the petitioner and some unknown
persons have assaulted the husband of informant, namely,
Dinesh Mukhia due to which he succumbed to injuries.

It is submitted by learned counsel for the
petitioners that the petitioners are innocent and they have



committed no offence. They have falsely been implicated in the present case. There is no eye witness of the alleged offence rather the name of petitioner sprang up in this case merely on the basis of suspicion. There is no consistent material evidence found against the petitioner. Similarly situated co-accused has already been granted bail by this Court vide order dated 20.04.2023 passed in Cr. Misc. No. 1150 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 15.02.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Raniganj P.S. Case No. 78 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the



learned Sub Divisional Judicial Magistrate, Araria.

(Sunil Kumar Panwar, J)

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