

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56170 of 2023

Arising Out of PS. Case No.-150 Year-2018 Thana- SANGRAMPUR District- East
Champaran

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1. ARJUN MUKHIYA SON OF MADAN MUKHIYA RESIDENT OF VILLAGE KOIRGANWA, PS- SANGRAMPUR, DIST- EAST CHAMPARAN
 2. SATYENDRA MUKHIYA SON OF MADAN MUKHIYA RESIDENT OF VILLAGE KOIRGANWA, PS- SANGRAMPUR, DIST- EAST CHAMPARAN
 3. BHULAYAN MUKHIYA SON OF BABULAL MUKHIYA RESIDENT OF VILLAGE KOIRGANWA, PS- SANGRAMPUR, DIST- EAST CHAMPARAN
 4. BHOLA MUKHIYA SON OF LATE MISHARI MUKHIYA RESIDENT OF VILLAGE KOIRGANWA, PS- SANGRAMPUR, DIST- EAST CHAMPARAN
 5. RAJA MUKHIYA SON OF BABULAL MUKHIYA RESIDENT OF VILLAGE KOIRGANWA, PS- SANGRAMPUR, DIST- EAST CHAMPARAN
 6. MADAN MUKHIYA SON OF LATE RAMA MUKHIYA RESIDENT OF VILLAGE KOIRGANWA, PS- SANGRAMPUR, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mrs. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-08-2023 At the outset of argument learned counsel for the

petitioners seeks permission to withdraw the anticipatory bail

petition of petitioner No.4, BHOLA MUKHIYA.

2. Prayer is allowed.
3. This anticipatory bail petition is dismissed as



withdrawn against petitioner No.4.

4. Heard learned counsel for the petitioners No. 1 to 3 and 5 to 6 and the State.

5. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 307, 324, 379 and some other ancillary Sections of the Indian Penal Code.

6. As per the prosecution case, all the FIR named accused persons, including these petitioners, armed with deadly weapons, came and started abusing and assaulting the informant. When brother of informant came to rescue he was also assaulted by the accused persons. It is further alleged that co-accused, Prem Kukhiya, gave farsa blow on the head of informant and petitioner No.1 gave iron rod blow on the head of brother of informant. Petitioner No.4 snatched cash of Rs. 12,000/- and gold Hanumani from the informant.

7. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that both parties are agnates and on account of dispute over pathway casual Mar-pit took place in which both sides sustained injuries. There is case and counter case. The injuries caused by the petitioners



have been found to be simple in nature.

8. Learned counsel appearing for the State opposes the prayer for anticipatory bail.

9. Considering the facts of the case and nature of accusation against the petitioners, let the petitioners No. 1 to 3 and 5 to 6, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Sangrampur PS case No. 150/ 2018, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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