

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66562 of 2022

Arising Out of PS. Case No.-82 Year-2022 Thana- BIRAUL District- Darbhanga

1. BALRAM MUKHIYA Son of Dasai Mukhiya R/V- Mohanpur, P.S- Biraul, Dist- Darbhanga
2. Ramatar Mukhiya @ Ramautar Mukhiya Son of Ramdhari Mukhiya @ RAMDHANI MUKHIYA R/V- Mohanpur, P.S- Biraul, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Biraul P.S. Case No.82 of 2022, registered for the offences punishable under Sections 448, 143, 341, 323, 325, 307, 354(A), 427, 504 and 506 of the Indian Penal Code.

Petitioner, Balram Mukhiya is said to have assaulted the informant by means of farsa on her head causing bleeding injury. Petitioner, Ramautar Mukhiya is said to have assaulted the informant by means of iron rod on her nose causing fracture injury.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is general and omnibus allegation against the petitioners and both sides are agnates. It is submitted that the occurrence took place on 17.02.2022, but the FIR was lodged on 11.03.2022, after delay of more than twenty days which creates serious doubt on the veracity of the prosecution case. It is also submitted that the injuries sustained by the injured persons are simple in nature.

The learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Taking into consideration the facts aforesaid, let petitioners, above named, 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 bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Biraul, District Darbhanga in connection with Biraul P.S. Case No.82 of 2022, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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