

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66450 of 2022

Arising Out of PS. Case No.-149 Year-2018 Thana- SANGRAMPUR District- East
Champaran

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1. Nandlal Mukhiya Son Of Yogendra Mukhiya R/V- Koirganwa Bintoli, P.S.-
Sangrampur, District- East Champaran
 2. Harendra Mukhiya Son Of Ganesh Mukhiya R/V- Koirganwa Bintoli, P.S.-
Sangrampur, District- East Champaran
 3. Yogendra Mukhiya Son Of Bhajan Mukhiya R/V- Koirganwa Bintoli, P.S.-
Sangrampur, District- East Champaran
 4. Narayan Mukhiya Son Of Aalha Mukhiya R/V- Koirganwa Bintoli, P.S.-
Sangrampur, District- East Champaran
 5. Ramayan Mukhiya Son Of Aalha Mukhiya R/V- Koirganwa Bintoli, P.S.-
Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray. APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 147, 149,
323, 324, 354, 379, 307, 504, 506 of the Indian Penal Code.

As per prosecution case, the allegation against the
petitioners is that due to earlier dispute started hurling abuses,



and came with iron rod, *farsa* and axe and later assaulting the brother of the informant. Resultantly, blood started oozing and the informant tried to rescue him thereafter other co-accused assaulted the informant and also his mother by weapons and they stolen Rs. 15,000 as well from his pocket.

Learned counsel for the petitioners submits that the petitioners are innocent and has been falsely implicated in the present case and petitioner no. 2 has three criminal antecedent of Bihar Prohibition and Excise Act, 2016 and petitioner no. 3 has seven criminal antecedent, out of seven, six are Bihar Prohibition and Excise Act. Learned counsel for the petitioners further submits that there is a case and counter case between the parties and both sides have sustained injury and the injury was simple in nature. It is very clear from the impugned order itself. Criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners 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 bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each 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 Sangrampur P.S. Case No. 149 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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