

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68413 of 2023

Arising Out of PS. Case No.-70 Year-2020 Thana- MARAUNA District- Supaul

1. RAM DAI DEVI @ RAMDAI DEVI W/o LAL BABU MUKHIYA @
Lalbabu Mukhiya R/o Village - Marauna, Tola - Khushiyali, P.S. - Marauna
2. Sunder Mukhiya @ Sundar Mukhiya @ Sundra Kumar Mukhiya S/o Sri Lal
Babu Mukhiya @ Lalbabu Mukhiya R/o Village - Marauna, Tola -
Khushiyali, P.S. - Marauna
3. Shankar Mukhiya @ Sankar Kumar S/o Sri Lal Babu Mukhiya @ Lalbabu
Mukhiya R/o Village - Marauna, Tola - Khushiyali, P.S. - Marauna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-11-2023

1. Heard the parties.

2. The petitioners apprehend their arrest in connection
with Marauna P.S. Case No. 70 of 2020 dated 04.06.2020
registered under Sections 341, 323, 307, 354, 325, 379, 504, 506
/ 34 of the I.P.C.

3. As per the First Information Report on 03-06-2020
in the morning while the mother and sister of the informant was
going for some work, one Lal Babu Mukhiya and his wife /
Ram Dai Devi (petitioner no. 1) abused them. It has further been
stated that when the informant inquired on having knowledge
about the misbehaviour meted out to his mother and sister, all



accused persons including the petitioner nos. 2 and 3 assaulted one Arjun Kumar Mukhiya and family members of the informant by means of *khanti*, *danda* etc. in which all have sustained injuries.

4. Learned counsel for the petitioners submits that both the parties are agnates and father of the informant and father-in-law of the petitioner no. 1 are full brothers. He further submits that there is land dispute between the parties, which would be evident from F.I.R. itself and a counter case has also been lodged by the side of the petitioners against the informant and others. He further submits that injuries caused to the victims are simple in nature as has been stated by the petitioners in paragraph -8 of this application. The nature of injury has not been discussed in the impugned order.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are agnates, there is land dispute between them, counter case is also there and injuries caused to the victims are simple in nature, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M.-VI, Supaul in connection with Marauna P.S. Case No. 70 of 2020 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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