

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73977 of 2023

Arising Out of PS. Case No.-93 Year-2022 Thana- PIPRA District- East Champaran

TARKESHWAR MUKHIYA SON OF BRIKSHA MUKHIYA RESIDENT
OF VILLAGE- KUNWARPUR, PO AND PS- PIPRA, DISTT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Alka Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Pipra P.S. Case no. 93 of 2022 registered under sections 307, 147, 148, 149, 341, 323, 353, 332, 333, 337, 338 and 427 of the Indian Penal Code.

3. As per the prosecution case, the informant states that seeing the crowd having gathered, the informant went near the place of occurrence. He found a lady to be in an unconscious state and the persons gathered there stating that they would inflict punishment on her. On the police personnel taking the lady with them, it is stated that the crowd gathered attacked the police with *lathi*, *danda* etc. Thirty persons including the petitioner herein were named in the occurrence at the instance of the local *chowkidar* while 50- 60 unknown accused persons



were also said to be present. It is further stated that specific overt act was alleged against six other accused persons which did not include the petitioner herein.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegation against the petitioner is general and omnibus in nature. The specific allegation is against six named accused persons which does not include the petitioner herein. The petitioner is in custody since 9.8.2023.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against this petitioner in the FIR, the specific allegation being against six named accused persons which does not include the petitioner herein and the petitioner having remained in custody since 9.8.2023, the Court directs the petitioner to be enlarged on bail in connection with Pipra P.S. Case no. 93 of 2022 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran .

(Partha Sarthy, J)

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