

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6040 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- GAMAHARIYA District- Madhepura

1. Shib Kumar Mukhiya @ Shiv Kumar Mukhya S/O SHAINI MUKHIYA @ SAINI MUKHIYA R/O VILLAGE- BELHI (BALHI), JIWACHHPUR, WARD NO. 10, PS. GAMHARIYA, DIST.MADHEPURA.
2. JASHODA KUMARI @ YASHODA DEVI W/O SHIB KUMAR MUKHIYA @ SHIV KUMAR MUKHYA R/O VILLAGE- BELHI (BALHI), JIWACHHPUR, WARD NO. 10, PS. GAMHARIYA, DIST.MADHEPURA.
3. KHAKHARI DEVI @ KAKARI DEVI W/O SHAINI MUKHIYA @ SAINI MUKHYA R/O VILLAGE- BELHI (BALHI), JIWACHHPUR, WARD NO. 10, PS. GAMHARIYA, DIST.MADHEPURA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar
For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 17-02-2024 Heard the learned counsel for the petitioners as well
as the learned APP for the State.

2. At the outset, the learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail petition, petitioner no. 1 has been arrested and, as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this petition with respect to him.

3. In view of the aforesaid submission, **this petition is**



dismissed as withdrawn with respect to petitioner no. 1.
Now, this application is only confined to petitioner nos. 2
and 3.

4. The petitioner nos. 2 and 3 apprehend their arrest in connection with Gamhariya P.S. Case No. 166 of 2023, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 354(A), 504, 34 of the Indian Pena Code.

5.As per allegation, while the informant was sitting at his door, the accused persons variously armed came there and started abusing him. On protest, the accused persons assaulted him with lathi causing fracture injury on the elbow of his right hand. When the informant's brother and mother came to rescue, the informant they were also assaulted. In the occurrence, the accused persons tried outrage modesty of informant's mother.

6. The learned counsel for the petitioner nos. 2 and 3 has submitted that they are innocent and have falsely been implicated in the present case. They are the persons of clean antecedents. The petitioner nos. 2 and 3 are ladies.

7. Considering the above-mentioned facts and circumstances, **let petitioner nos. 2 and 3** in the event of their arrest or surrender within four weeks before the learned court below, **be released on bail** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate-Ist Class, Madhepura in connection with Gamhariya P.S. Case No. 166 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

Nirmal/AKV

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