

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37564 of 2024

Arising Out of PS. Case No.-535 Year-2023 Thana- ALOULI District- Khagaria

Kartik Mukhiya @ Kartk Mukhiya, aged about 42 years, Male Son of Late Parmeshwar Mukhiya, Resident of Village- Ratnaha Ward No. 2, P.S- Alauli, Distarict- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar Agrawal, Advocate Mr. Santosh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Parmanand Prasad, APP
For the Informant	:	Mr. Buddhi Lal Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Alauli P.S. Case No. 535 of 2023 instituted for the offences punishable under Sections 307, 286, 506/34 of the Indian Penal Code.

3. As per the prosecution case, 10 unknown miscreants along with petitioner by forming unlawful assembly armed with weapons arrived in front of the house of the brother of the informant and ordered him to withdraw the case lodged by informant's brother. Thereafter, they fired indiscriminately in which family member of the informant escaped.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. It is further submitted that



there is no overact alleged against the petitioner. The petitioner has been made accused only on the basis of suspicion and bad village party politics. Petitioner is in custody since 12.02.2024.

5. Learned APP for the State as well as learned counsel for the informant have vehemently opposed the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-III, Khagaria dated 21.03.2024, it appears that petitioner is named in the FIR. There is no specific allegation of assault against this petitioner and there is no any participation of this petitioner in the crime but there is political rivalry between them, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Alauli PS Case No. 535 of 2023.

(Ramesh Chand Malviya, J)

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