

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52101 of 2024

Arising Out of PS. Case No.-699 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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1. Suren Mukhiya @ Surendra Mukhiya Son of Late Kishan Mukhiya R/o Village- Bhotiya, P.S.- Simri Bakhtiyarpur (Balwahat O.P.), District- Saharsa
 2. Bablu Mukhiya Son of Chinagi Mukhiya R/o Village- Bhotiya, P.S.- Simri Bakhtiyarpur (Balwahat O.P.), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Bakhtiyarpur (Balwahat O.P.) P.S. Case No. 699 of 2023, instituted under Sections 147, 149, 341, 323, 325, 307, 379 and 504 of the Indian Penal Code.

3. As per the prosecution case, when the informant went to sow his field, 22 accused persons including the petitioners came there with weapons and started abusing and beating. They assaulted the tractor driver causing head injury to him.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have falsely been implicated in this case due to land dispute. There is case and counter case between the parties for the same occurrence in which both the parties got injured. Injury caused to the tractor driver is simple in nature. There is no specific allegation against the petitioners. Petitioners have no criminal antecedents.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Bakhtiyarpur (Balwahat O.P.) P.S. Case No. 699 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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