

Arising Out of PS. Case No.-160 Year-2024 Thana- BAJPATI District- Sitamarhi

- Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Ms.Renu Kumari- A.P.P.
Mr.Uday Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-10-2024 1. Heard learned counsel for the petitioners, the
learned counsel appearing on behalf of the informant and
learned APP for the State.

2. The learned counsel for the petitioners, after some argument realizing his difficulties, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.2, Raju Mukhiya @ Rajilal Mukhiya.

3. Permission is accorded.

4. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.2, Raju Mukhiya @



Rajilal Mukhiya.

5. The petitioner no.1 seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379 and 504/ 34 of the Indian Penal Code.

6. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 08.06.2024, while he was sitting at his door when all the accused persons including the petitioner came variously armed and started abusing the informant on account of previous dispute relating to passage, on protest, it is alleged that Laxmi Mukhiya assaulted the informant by *Dabiya* causing injury on head, thereafter Raju Mukhiya assaulted the informant by rod causing injury on his hand, thereafter Ram Hriday Mukhiya assaulted the wife of the informant by *farsa* and Chhathu Mukhiya (petitioner) assaulted her by rod, thereafter, Prabhu Mukhiya and Subodh Mukhiya disrobed the wife of the informant and wife of his brother while Sonawati Devi and Sagar Devi snatched golden chain from the wife of the informant.



7. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is alleged to have assaulted the wife of the informant by rod causing injury on hand, but then, she has not suffered any injury on hand.

8. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that allegation of assaulyting the wife of the informant by rod causing injury on hand is belied by the injury report.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.1, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bajpatti P. S. Case No.160 of 2024, subject



to the conditions laid down under Section 438(2) of the
Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

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