

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61054 of 2024

Arising Out of PS. Case No.-289 Year-2024 Thana- SUPAUL District- Supaul

Ram Krishna Mukhiya @ Ram Kishun Mukhiya Son of Late Jangal Mukhiya
Resident of Village - Basbitti, Ward No.9, P.S. - Supaul, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

Mr. Kuldeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 26-10-2024 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
the informant.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 324, 307, 354, 379, 504, 506/34 of the IPC in
connection with Supaul P.S. Case No.289 of 2024.

3. The learned counsel for the petitioner submits that
petitioner is persons with clean antecedent and the informant
alleges that on 30.09.2024 at about 09.00 a.m. the accused
persons including the petitioners came variously armed and
Ram Krishna Mukhiya assaulted the informant by an iron rod
causing injury on head and when his son and other women folk
of his house came to save him, when all the accused persons



disrobed and assaulted them by dragging them on the ground, thereafter, Pankaj snatched silver chain from the neck of the informant's wife and also assaulted the informant's daughter with fist and kick and thereafter Mukesh assaulted Kiran Devi with fist, slaps and kicks.

4. The learned counsel for the petitioner submits that from perusal of the allegations as alleged in the FIR, it would manifest that petitioner is alleged to have assaulted the informant by an iron rod causing injury on head, but then the blow was not repeated and from perusal of the injury report of the injured it would manifest that the injury is simple in nature which amply demonstrates that petitioner never had any intention of committing a serious occurrence. It is also submitted that petitioner and the informant are Gotiyas and they are having dispute relating to land. It is next submitted that petitioner is not a criminal.

5. The learned APP and 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 the injuries suffered by the injured is simple in nature.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner 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 anticipatory bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No.289 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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