

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69164 of 2024

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

=====

Mukesh Mukhiya S/o Fekan Mukhiya R/o Village- Bhotiya, Police Station-
Simari Bakhtiyarpur, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nath, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bakhtiyarpur (Balwihat 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 prosecution case, when the informant went to sow his field, 22 accused persons including the petitioner came there with weapons and started abusing and beating. They assaulted the tractor driver causing head injury to him.

4. Learned counsel for the petitioner submits that petitioner is innocent and has 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 parties sustained injury. Injury caused to the tractor driver is simple in nature. There is no specific allegation against the petitioner. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Court vide order dated 21.08.2024 passed in Criminal Miscellaneous No. 52101 of 2024. Petitioner has no criminal antecedent and undertakes to cooperate in the investigation and the trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa 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)

Harish/-

U		T	
---	--	---	--

