

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68953 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- BAHERI District- Darbhanga

Shivjee Mukhiya S/O Late Bhagat Mukhiya R/O Vill - Dhanauli (Sima Tola),
P.S. - Baheri, Distt. - Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. Petitioner along with other accused persons are said to have committed murder of the husband of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that after investigation, police has not found any involvement of the petitioner and submitted final form against him but the learned court below has taken cognizance against the petitioner. He submits that the petitioner is 71 years old man and he is suffering from several diseases as well as eye problem also. He further submits that petitioner has no criminal



antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail submits that the some witnesses have supported the prosecution case.

6. Considering the facts and circumstances of the case and the fact that the police after investigation submitted final form against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Baheri P.S. Case No. 173 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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