

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73199 of 2023

Arising Out of PS. Case No.-115 Year-2022 Thana- MADHEPURA District- Madhepura

Pawan Mukhiya S/O Ram Kishun Mukhiya Village- Sahugarh, Karu Tola, Ps.
And Dist. Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 447, 341, 323, 307, 302, 379, 504, 506, 34 of the Indian Penal Code.

3. As per FIR, the allegation against the petitioner and co-accused persons is that they armed with various weapons came at the house of the informant and started abusing and upon protest co-accused, namely, Subhas Mukhiya assaulted by butt of threenut upon the head of the informant's father due to which his father sustained injuries and died during treatment. It is further alleged that co-accused



persons had also assaulted to the informant and his family members.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to dirty village politics. There is no specific allegation against the petitioner rather general and omnibus allegation levelled against him and the specific allegation of assaulting by means of threenut upon the head of the informant's father is against co-accused person. It is further submitted that the petitioner has got no criminal antecedent. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 18.10.2023 passed in Cr. Misc. No. 66574 of 2023. Moreover, the petitioner is languishing in judicial custody since 11.06.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Madhepura P.S. Case No. 115 of



2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhepura.

(Sunil Kumar Panwar, J)

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