

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80642 of 2024**

Arising Out of PS. Case No.-25 Year-2021 Thana- MOTIHARI MUFASIL District- East  
Champaran

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Shashi Bhushan Mukhiya @ Shashi Bhushan Kumar S/o- Gagandev Mukhiya  
Village- Hashuaha PS-Muffashil Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Gajanan Mishra  
For the Opposite Party/s : Mr.Jitendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      18-12-2024                      Heard the learned counsel for the parties.

2. This is the 2<sup>nd</sup> attempt of the petitioner. Earlier the bail application of the petitioner was rejected vide order dated 05.03.2024 passed in Cr. Misc. No. 79933 of 2023.

3. The petitioner seeks regular bail in a case registered for the offence under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, the petitioners are accused of having participated in the killing of the deceased.

5. It has been submitted by the learned counsel for the petitioner that one of the co-accused namely Pappu Mukhiya has been acquitted and some of the other co-accused persons have been granted anticipatory bail by this Court. Petitioner is in



custody since 28.08.2023.

6. Considering the fact that the petitioner is not the assailant of the deceased, and also considering the period of custody, this application is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-X, East Champaran, Motihari/concerned Court below in connection with Motihari Muffasil P.S. Case No. 25 of 2021 subject to condition that:-

*(i) The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial.*

**(Sandeep Kumar, J)**

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