

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85625 of 2023

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

Manoj 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.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-04-2024 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 and 34 of the Indian Penal Code.

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



assaulted the informant and his family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing specific allegation has been levelled against the petitioner rather the specific allegation of assault is against co-accused Subhash Mukhiya who assaulted to the informant's father due to which he died. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 07.02.2024 in Cr. Misc. No. 73199 of 2023. Moreover, the petitioner is languishing in judicial custody since 29.08.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, 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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