

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5200 of 2024

Arising Out of PS. Case No.-851 Year-2022 Thana- TURKAULIYA District- East
Champaran

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1. Harendra Mukhiya @ Hareram Mukhiya Son Of Late Rampal Mukhiya @
Rampal Mukhiya Resident Of Village - Khairaha, P.S. - Banjariya, District
- East Champaran, Motihari
 2. Rajkumar Mukhiya Son Of Late Rampal Mukhiya @ Rampal Mukhiya
Resident Of Village - Khairaha, P.S. - Banjariya, District - East Champaran,
Motihari
 3. Raja Ram Mukhiya Son Of Late Rampal Mukhiya @ Rampal Mukhiya
Resident Of Village - Khairaha, P.S. - Banjariya, District - East Champaran,
Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offence under Sections 147, 149, 341, 323,
324, 325, 307, 379, 354, 504, 506, 427/34 of Indian Penal Code.

3. As per the prosecution case, on the alleged date and
time of occurrence when the informant forbade the accused
persons not to drain water on the road, then all the accused
persons including petitioners assaulted the informant and when
the family members came to save him, they were also assaulted.



Petitioner no. 1 is alleged to have snatched gold chain worth Rs. 50,000/- from the neck of informant's nephew, whereas petitioner no. 2 & co-accused Nandu Mukhiya took away the box kept in the house of informant and petitioner no. 3 is alleged to have opened fire from his pistol, but it did not hit him.

4. It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case due to dirty village politics and old enmity. Though, there is allegation of firing against petitioner no. 3, but no one sustained any fire-arm injury. Admittedly, there is land dispute between the parties. As a matter of fact, due to dispute over drainage of water on the road, a simple *maarpit* took place in which both side sustained injury. There is case and counter case. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned C.J.M., Motihari (East Champaran) in connection with Turkauliya P.S. Case No. 851 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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