

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70683 of 2025

Arising Out of PS. Case No.-378 Year-2022 Thana- ROSERA District- Samastipur

1. Manikant Mukhiya S/O Late Nevat Mukhiya Resident Of Village- Kolhata Mahisar, Jakhar, P.S.- Rosera, District- Samastipur
2. Daho Mukhiya S/O Radhe Mukhiya Resident Of Village- Kolhata Mahisar, Jakhar, P.S.- Rosera, District- Samastipur
3. Radhey Mukhiya @ Radhe Mukhiya S/O Nevat Mukhiya Resident Of Village- Kolhata Mahisar, Jakhar, P.S.- Rosera, District- Samastipur
4. Brijesh Mukhiya S/O Radhey Mukhiya @ Radhe Mukhiya Resident Of Village- Kolhata Mahisar, Jakhar, P.S.- Rosera, District- Samastipur
5. Lalit Mukhiya S/O Pitambar Mukhiya Resident Of Village- Kolhata Mahisar, Jakhar, P.S.- Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2025 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 offences punishable under Sections 341, 323, 354, 307, 379, 504, 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner Nos. 1 to 5 have antecedent of two cases while petitioner No. 4 is a person with clean antecedent and the informant alleges that friend of his son-in-law was coming back



home after dropping his son-in-law at his place, further alleges that friend of his son-in-law was intercepted by Umesh Mukhiya near a *Bandh* in a drunken condition who started abusing, on protest, threatened to snatch his bike, on information, the informant and others reached the place of occurrence when Anil fired three rounds in air, thereafter Radhe Mukhiya along with named accused persons, including the petitioners, came to his house and Anil assaulted his son by rod causing injury on head and thereafter repeated blow and also assaulted Ganga Devi by rod causing fracture of hand, while Ranjit assaulted Sanjeet causing injury on head, further Umesh and Lalit also tried to strangle the informant and other accused assaulted injuring 3-4 persons and also took one bag of pesticide and Rs. 430/-

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioner No. 1 is 81 years of age. It is also submitted that from the side of the petitioners Rosera P.S. Case No. 377 of 2022 was instituted by Anil, as such, the instant F.I.R. is a counter blast. It is also submitted that specific allegation of assault is against Anil and in the instant anticipatory bail application, Anil is not a petitioner. It is next submitted that there is no specific allegation



of assault against the petitioners herein in the F.I.R., but then Lalit (petitioner No. 5) is alleged to have tried to strangle the informant along with Umesh.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Rosera P.S. Case No. 378 of 2022 subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. At this stage, learned counsel for the petitioners seeks permission to rectify the description of petitioner No. 1. It is submitted that name of petitioner No. 1 is Mani Kant and he is also known by an alias name Mani Mukhiya.

(Satyavrat Verma, J)

K.C.Jha/-

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