

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87953 of 2024

Arising Out of PS. Case No.-293 Year-2024 Thana- MADHUBANI TOWN District-
Madhubani

Shiv Mukhiya @ Shiv Kumar Son of Sukhdeo Mukhiya Resident of Village-
Basura, Ward No. 38, PS- Town Thana, Madhubani, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Madhubani Town P.S. Case No. 293 of 2024 bearing G.R.
No.1583 of 2024 instituted for the offence under Sections 74, 75,
352 of the B.N.S.S. and later on added Section 75(2) B.N.S.S.

3. The case of the prosecution is that one Ravi Mukhiya
was attempting to outrage the modesty of the informant. When she
raised alarm, the petitioner who is the brother of Ravi Mukhiya
went there and started assaulting her.

4. Learned counsel appearing on behalf of the petitioner
has submitted that from perusal of the FIR itself it is clear that no
weapon has been arrayed for assault.



5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above and the fact that the petitioner is having only allegation of assault, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Madhubani Town P.S. Case No. 293 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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