

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34316 of 2026

Arising Out of PS. Case No.-333 Year-2025 Thana- ADAPUR District- East Champaran

1. Kishundeo Mukhiya S/o Late Jagar Nath Mukhiya Resident of Village-Harkatwa, Police Station- Adapur, District-East Champaran
2. Sikandar Mukhiya S/o Late Jagar Nath Mukhiya Resident of Village-Harkatwa, Police Station- Adapur, District-East Champaran
3. Bijili Mukhiya S/o Late Jagar Nath Mukhiya Resident of Village- Harkatwa, Police Station- Adapur, District-East Champaran
4. Kishori Mukhiya So Late Jagar Nath Mukhiya Resident of Village-Harkatwa, Police Station- Adapur, District-East Champaran
5. Lal Babu Mukhiya S/o Late Jagar Nath Mukhiya Resident of Village-Harkatwa, Police Station- Adapur, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 18-05-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application with respect to petitioner No.4 (Kishori Mukhiya), as he has been arrested.

3. Prayer is allowed.

4. This application is dismissed as withdrawn with respect to petitioner No.4.



5. The petitioners are apprehending their arrest in a case in connection with Adapur P.S. Case No. 333 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 117(1), 118(1), 109, 74, 303(2), 351(2), 352 and 3(5) of the B.N.S.

6. As per the allegation, petitioner No.4 assaulted by means of a farsa on the waist of the informant, while there is allegation against co-accused Sunil Mukhiya to have assaulted by means of sword, due to which finger of leg was severed, while co-accused Anil Mukhiya assaulted by means of iron rod and when he fell down, he was assaulted by fists and slaps, while Anil Mukhiya and Sunil Mukhiya wrapped a rope around the neck of the informant and started pulling it, while Anil Mukhiya took mangalsutra worth Rs. 48,000/- from the neck of the younger sister of the informant.

7. Learned counsel for the petitioners has submitted that there is no allegation of assault against the petitioner Nos. 1, 2, 3 and 5. It has further been submitted that there is case and counter case between the parties and the present case is counter-blast to the case lodged by the petitioners which was on earlier point of time and in that case also, the case was registered under Section 109 B.N.S. and other ancillary sections. It has further



been submitted that the parties resorted to free fight among themselves on a trivial issue and there was no premeditation to kill. It has lastly been submitted that petitioner No.2 has got no criminal antecedent while petitioner Nos. 1, 3 and 5 are accused in one criminal case in which they are on bail.

8. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

9. Heard the parties and perused the record.

10. Considering the facts and circumstances of the case, let the above named petitioner Nos. 1, 2, 3 and 5, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran at Motihari in connection with Adapur P.S. Case No. 333 of 2025, subject to conditions as laid down under section 482(2) of the B.N.S.S.

11. The application stands allowed.

(Praveen Kumar, J)

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