

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6062 of 2025

Arising Out of PS. Case No.-221 Year-2017 Thana- MADHUBANI TOWN District-
Madhubani

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1. Vijay Mukhiya Son of Shri Chand Mukhiya Resident of Village - Bhachhi South Tole, P.S.- Madhubani Town, District- Madhubani
 2. Lallan Mukhiya Son of Shri Chand Mukhiya Resident of Village - Bhachhi South Tole, P.S.- Madhubani Town, District- Madhubani
 3. Pawan Mukhiya Son of Shrichand Mukhiya Resident of Village - Bhachhi South Tole, P.S.- Madhubani Town, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yada, Adv. Mr. Vinod Kumar, Adv. Mr. Rajesh Kumar, Adv.
For the Opposite Party/s	:	Mrs. Anita Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-05-2025 Heard the parties.

2. Learned counsel appearing on behalf of petitioner seeks permission to withdraw the prayer of anticipatory bail *qua* petitioner no. 1, namely Vijay Mukhiya.

3. In view of aforesaid submissions, prayer of anticipatory bail of petitioner no. 1 namely Vijay Mukhiya stands dismissed as withdrawn.

4. Now this petition survives only for petitioner no. 2 namely Lallan Mukhiya and petitioner no. 3 namely Pawan



Mukhiya.

5. The petitioners no. 2 and 3 are named in the F.I.R. and apprehending their arrest in connection with Madhubani Town P.S. Case No. 221 of 2017 registered for the offences punishable under Sections 323, 376, 511, 504 of the Indian Penal Code.

6. As per FIR the allegation against petitioners is to assault and abuse the complainant/ informant when occurrence reported to them.

7. It is submitted by learned counsel appearing on behalf of the petitioners that the thrust of allegation appears against co-accused namely Vijay Mukhiya and the maximum allegation against above-named petitioners appeared as to abuse complainant when occurrence was reported to them. While concluding arguments, it is submitted that petitioners are men of clean antecedent.

8. Learned APP, opposed the prayer of bail.

9. In view of aforesaid factual submission and by taking note of fact as thrust of allegation *qua* outraging modesty appears *prima-facie* available against co-accused



namely Vijay Mukhiya, where allegation *qua* both above-named petitioners is limited qua abusing to complainant when occurrence was reported to them, accordingly both petitioner no. 2 namely Lallan Mukhiya and petitioner no. 3 namely Pawan Mukhiya, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, 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 CJM, Madhubani/concerned Court, where the case is pending in connection with Madhubani Town P.S. Case No. 221 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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