

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21019 of 2025

Arising Out of PS. Case No.-383 Year-2024 Thana- BELDOUR District- Khagaria

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1. Chandradev Mukhiya, S/O Late Kalo Mukhiya, R/O Vill.- Shripur, P.S.- Beldour, Dist.- Khagaria
 2. Sushil Mukhiya, S/O Chandradev Mukhiya, R/O Vill.- Shripur, P.S.- Beldour, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Ranjan Kumar, Adv. Mr. Harendra Kr. Singh, Adv.
For the State	:	Mr. Suresh Prasad Singh, APP
For the Informant	:	Mr. Jai Kishor Poddar, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-04-2025 Heard Mr. Ajit Ranjan Kumar, learned counsel for the petitioners, Mr. Suresh Prasad Singh, learned APP for the State and Mr. Jai Kishor Poddar, learned counsel for the informant.

2. Petitioners seek regular bail in connection with Beldour P.S. Case No. 383 of 2024 dated 03.11.2024 registered for the offences punishable under sections 126(2), 115(2), 118(1), 109, 303(2), 351(2), 3(5) and 352 of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by petitioners' counsel are that in the FIR there is no specific allegation against the petitioners, as per prosecution's allegation, the wives of



Sushil Mukhiya (petitioner No. 2), one co-accused Raja Kumar and one unknown person were alleged to have assaulted the prosecution party by means of lathi, danda, iron rod and sharp edge weapon, so, there is no specific and serious allegation against the petitioners and the main allegation appears against their wives, however, the allegation as to assaulting by using a sharp-edged weapon does not get corroboration from the injury reports of the so-called injured persons, copies of whose injuries reports' have been filed with this petition and the same goes to show that their injuries were opined to be caused by hard and blunt object and only one injury to the injured Usha Devi has been opined to be grievous in nature but the same has been found on non-vital part of her body. It is further submitted that the petitioners No. 1 and 2 have been languishing in jail since 04.11.2024 and 15.11.2024 respectively and they have fair and clean antecedent and against them, the investigation has been completed.

4. On the other hand, learned counsel for the informant has vehemently opposed the bail prayer of the petitioners and submits that the petitioners and co-accused persons came at the field of the informant when they were harvesting paddy crop and assaulted the prosecution party



causing several injuries to 4 persons and the alleged occurrence was committed in a planned manner.

5. Learned APP for the State has also opposed the prayer of the petitioners.

6. In the facts and circumstances of this case as well as the aforesaid submissions and mainly the nature of injuries to the injured persons as appear from the Annexure -P/3 series, coupled with fair and clean antecedent of the petitioners and completion of investigation against them, this Court is inclined to release the petitioners on bail. Accordingly, let the petitioners named-above be released on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the court concerned in connection with Beldour P.S. Case No. 383 of 2024.

(Shailendra Singh, J)

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