

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55326 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- SUPAUL District- Supaul

Dev Narayan Mukhiya S/o Late Ramji Mukhiya R/o Village- Basbitti Ward
No. 05, P.S. and District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhuweneswar Sahu

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-08-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Supaul Police Station Case No. 38 of 2025, dated 31.01.2025, disclosing offences punishable under Sections 126(2)/115(2)/109/303(2)/352/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 27.01.2025, a dispute arose between the petitioner and Deo Narayan Mukhiya and others on the ground of sharing the fish, which was taken out from the pond of Rajendra Mukhiya. It has further been alleged that the petitioner assaulted the informant by fasul (used for chopping the fish), due to which he sustained head



injury.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and the scuffle took place between the parties on the point of sharing the fish, which was taken out of the pond. The allegation against the petitioner that he assaulted the informant with a sharp cutting weapon; whereas the injury report shows that the informant has sustained simple injuries, caused by hard and blunt substance. There is unexplained delay of four days in lodging the First Information Report.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of injury, which is simple in nature and the fact that the occurrence took place on the trivial issue of sharing the fish, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties



of the like amount each to the satisfaction of learned District and Additional Sessions Judge IV, Supaul, in connection with Supaul Police Station Case No. 38 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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