

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63884 of 2025

Arising Out of PS. Case No.-96 Year-2024 Thana- BANGAWON District- Saharsa

1. Nandan Kumar Mukhiya @ Nandan Mukhiya S/O Late Bechan Mukhiya R/O Village- Murli Basantpur Bhusvardih, Ward No. 9, P.S- Bangaon, Dist.- Saharsa, Bihar.
2. Chandan Kumar @ Chandan Mukhiya S/O Uchit Mukhiya R/O Village- Murli Basantpur Bhusvardih, Ward No. 09, P.S- Bangaon, Distt.- Saharsa, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115, 117, 109, 352 and 3(5) of the BNS.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 21.07.2024 he objected thrashing of two children by Gauri Mukhiya who was assaulting them on pretext of theft of pumping set, on which Gauri Mukhiya started assaulting him and thereafter accused persons including the petitioners came and Mithun assaulted the informant by farsa causing injury on head. Thereafter, the family members of the informant came and took him to PHC



from where he was referred to Sadar Hospital, Saharsa. It is next alleged that on 23.07.2024 Arun Mukhiya assaulted the father of the informant by an iron rod causing fracture of left hand.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against the petitioners and petitioners are not criminals.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Bangaon P.S. Case No. 96 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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