

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77009 of 2025**

Arising Out of PS. Case No.-246 Year-2022 Thana- PAKRIDAYAL District- East Champaran

1. Jimiri Mukhiya S/O Gorakh Mukhiya Resident of village - Thikha Bankat, P.S- Pakridayal, Dist.- East Champaran
2. Bindu Mukhiya S/O Gorakh Mukhiya Resident of village - Thikha Bankat, P.S- Pakridayal, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shatrughna Pandey, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

2      27-11-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. After some arguments, learned counsel for the  
petitioners prays for withdrawal of the anticipatory bail  
application on behalf of petitioner no.1 Jimiri Mukhiya.

3. Permission is granted.

4. The application is dismissed as withdrawn with  
respect to petitioner no.1 only. However, liberty is granted that  
if the petitioner no.1 surrenders and seeks regular bail within a  
period of three weeks before the learned Court below, the same  
shall be considered on its own merit without being prejudiced  
by the present order of withdrawal preferably on the same day.



5. The petition now survives on behalf of petitioner no.2 only.

6. The petitioner no.2 apprehends his arrest in connection with Pakridayal P.S. Case no.246 of 2022 registered under sections 341, 323, 324, 354, 379, 504 and 34 of the Indian Penal Code.

7.The allegations in the F.I.R is that accused persons, in drunken condition, started creating nuisance at the house of the informant. On protest, accused Jimri Mukhiya assaulted the informant's wife by means of *farsa* on her head causing injuries to her.

8. Learned counsel for the petitioner no.2 submits that it would be apparent from the F.I.R that thrust of the allegation is upon co-accused Jimri Mukhiya of having assaulted on the head of the informant's wife by means of *farsa* causing grievous injuries to her. Further, allegations of theft etc., are all ornamental in nature. There is delay of six days in lodging of the F.I.R, for which no explanation has been tendered. The petitioner no.2 has no criminal antecedent and undertakes to cooperate in the case/trial.

9. The application for anticipatory bail is opposed by learned A.P.P. for the State.



10. In view of the entire facts and circumstances of the case and considering that there is delay in lodging of the F.I.R coupled with the fact that specific allegation of assaulting the informant's wife is attributable to accused Jimri Mukhiya whose anticipatory bail application has already been withdrawn, it is directed that the petitioner no.2, namely Bindu Mukhiya, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Pakridayal P.S. Case no.246 of 202 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

**(Soni Shrivastava, J)**

Harsh/-

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