

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.615 of 2026

Arising Out of PS. Case No.-30 Year-2025 Thana- BHAIKAVSHTHAN District- Madhubani

Ram Babu Mukhiya Son of Nathuni Mukhiya Resident of village- Raiyam,
Ps- Bhairavsthan, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-02-2026 Heard Mr. Uday Bhanu Rai, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Bhairavsthan P.S. Case No. 30 of 2025 for the offence under sections 115(2), 126(2), 109, 303(2), 352, 351(2) and 3(5) of the BNS lodged on 23.03.2025 by the informant, Kapleshwar Mukhiya.

3. As per the prosecution story, the informant alleged that on 25.02.2025 due to a minor fight between children, the elders came in and allegation thereafter is against this petitioner amongst other of having given repeated blows on the head causing injuries.

4. Though learned counsel for the petitioner submits



that allegation is against two accused persons, learned APP has taken this Court to the order sheet of the learned Sessions Judge to show that repeated blow was given causing injuries on the scalp as also near the left eye.

5. Considering the allegation that has come against the petitioner, certainly, this is not a fit case to extend anticipatory bail.

6. Accordingly, the anticipatory bail application stands rejected.

7. If, however, the petitioner surrenders within four weeks, the concerned Court shall take up the matter and dispose it of preferably on the same day.

8. While passing the order, this Court has taken note of the fact that three Oath Commissioners, namely, Shri Ravi Ranjan, Ms. Pratibha Kumari Mishra and Ms. Vandana Kumari, ceased to function as Oath Commissioners with effect from 17.12.2025, 17.12.2025 and 18.12.2025 respectively. The cause list also reflects the names of the present Oath Commissioners. However, the affidavit in the present case has been sworn on 24.12.2025 through Ms. Vandana Kumari.

9. Office is directed to report as to why, despite the



aforesaid Oath Commissioner having ceased to function, the defect was not pointed out in the present case and/or that fact was not brought to the appropriate superior authority.

10. List this case under the heading **“To Be Mentioned”** on **11.02.2026** for perusal of the report.

(Rajiv Roy, J)

Adnan/-

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