

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9803 of 2026

Arising Out of PS. Case No.-441 Year-2018 Thana- ALOULI District- Khagaria

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Kundan Mukhiya, aged about 35 years, Male, son of Gurudev Mukhiya,
resident of Village- Manikchak Ukhraura, PS- Alauli, Dist- Khagaria
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Alauli
PS Case No.441 of 2018 dated 23.12.2018, instituted for the
offence punishable under Sections 341, 323, 302, 379, 504/34 of
the Indian Penal Code.

3. As per the prosecution case, the petitioner along
with other co-accused assaulted the father-in-law of the
informant resulting his death and also snatched rupees thirty
thousand.

4. Learned counsel for the petitioner submits that
there is general and omnibus allegation against all the accused
including the petitioner. No specific overt act has been alleged
against any of the accused including the petitioner. The



occurrence took place on 18.12.2018, but the FIR has been lodged on 23.12.2018 i.e., after delay of five days, without any plausible explanation for the delay. It is again submitted that co-accused Jitendra Mukhiya and Umesh Mukhiya have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 05.12.2022 passed in Cr. Misc. No.38378 of 2022 and co-accused, Gurudeo Mukhiya, who is the father-in-law of the petitioner, has been granted bail by a co-ordinate Bench of this Court vide order dated 04.03.2023 passed in Cr. Misc. No.2909 of 2023. Petitioner is in custody since 08.09.2025 having clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Khagaria, in Alauli PS Case No.441 of 2018.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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