

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.498 of 2026

Arising Out of PS. Case No.-75 Year-2025 Thana- Tilakeshwar District- Darbhanga

Naulesh Mukhiya @ Nilesh Kumar S/O Ram Sevak Mukhiya R/O village-
Rahipura Dinmo, P.S.- Tilakeshwar, Dist.- Darbhanga

... .. Appellant/s

Versus

1. The State of Bihar
2. Paro Devi W/O Varun Manjhi R/O Ward no. 2, Vill.- Rahipura, P.O- Dinmo,
P.S.- Tilakeshwar, Dist.- Darbhanga

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kumar Praveen
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-07-2026 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State, Sri Binay Krishna.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 18.08.2025 passed by the learned Court of
Exclusive Special Judge. SC/ST (POA), Darbhanga in
connection with Tilakeshwar P.S. Case No.75 of 2025 instituted
for the offences under Sections 115(2), 126(2), 110, 303(2),
351(2), 352 & 3(5) of the BNS, 2023 and Section 3(1)(r) and
3(1)(s) of the SC & ST (POA) of the SC/ST Act.



3. Learned counsel for the appellant submits that respondent no. 2, despite receiving notice, chooses not to appear and contest.

4. Learned counsel for the appellant next submits that appellant is a person with clean antecedent and the informant alleges that on 13-6-2025 in the night, five accused persons including the appellant came on motorcycle and took her son near a river and thereafter assaulted him on account of which he became unconscious, thereafter the accused persons snatched his mobile and brought her son in an unconscious state to the house and even abused by taking caste name.

5. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that it does not appear probable that had the accused persons including the appellant assaulted the son of the informant then they would have brought the victim back to the house in an unconscious state fearing that the victim on regaining consciousness will disclose about the occurrence. It is also submitted that there is delay of more than 21 days in instituting the instant FIR which casts an aspersion on the case of the prosecution. It is further submitted that Gangesh Kumar @ Ganesh Kumar@ Gangesh Mukhiya and



along with Raja Mukhiya had approached this Court seeking anticipatory bail by filing Cr. Appeal (SJ) No. 4117 of 2025 and the same came to be allowed by an order dated 23-2-2026 by a learned co-ordinate bench. It is next submitted that case of the appellant is similar to the case of Gangesh Kumar @ Ganesh Kumar@ Gangesh Mukhiya and Raja Mukhiya.

6. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

7. Considering the aforesaid facts, let the appellant above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) 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 the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. Accordingly, the impugned order is set aside and the appeal stands allowed.

(Satyavrat Verma, J)

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