

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11204 of 2026

Arising Out of PS. Case No.-201 Year-2024 Thana- BIHRA District- Saharsa

Binod Mukhiya @ Vinod Mukhiya, son of Late Pauti Mukhiya, Resident of
village-Purikh Ward No.02, P.S.-Bihra, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Bihra
P.S. Case No. 201 of 2024 instituted for the offences punishable
under Sections under Sections 109, 115(2), 191(2), 191(3), 190,
118(1), 118(2), 126(2), 352, 351(2) and 351(3) of the B.N.S.S.
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation in the FIR, petitioner stabbed
knife in the chest of the informant's husband with an intention
to killing him.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has



falsely been implicated in this case due to ulterior motive of the informant. Learned counsel for the petitioner further submits that the main assailants are Mukesh Kumar Mukhiya and Rupesh Mukhiya. The allegation against the petitioner is of ordering Mukesh Kumar Mukhiya and Rupesh Mukhiya to kill the husband of the informant, the main assailant, therefore, is not the petitioner. The petitioner is in custody since 23.11.2025 and investigation has been completed and chargesheet has already been filed. Petitioner does not have any criminal antecedent.

5. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

6. The main assailants are alleged to be Mukesh Kumar Mukhiya and Rupesh Mukhiya. The allegation against the petitioner is of ordering Mukesh Kumar Mukhiya and Rupesh Mukhiya to kill the husband of the informant. The main assailant, therefore, is not the petitioner. The petitioner is in custody since 23.11.2025 and it is stated at the bar that investigation has been completed and chargesheet has already been filed. This contention is not disputed by the learned APP. In paragraph-3, it has been stated that the petitioner does not have any criminal antecedent.



7. Considering all these facts and circumstances, let the petitioner above named, is directed to be released on bail 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/successor court in connection with Bihra P.S. Case No. 201 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the



petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

Prakash Narayan

U		T	
---	--	---	--

