

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15784 of 2026**

Arising Out of PS. Case No.-332 Year-2025 Thana- ADAPUR District- East Champaran

1. MATAR MUKHIYA S/o Yogendra Mukhiya R/o village- Harkatawa, ward no 12, PS- Adapur, Dist- East Champaran
2. Bipin Kumar S/o Hira Mukhiya R/o village- Harkatawa, ward no 12, PS- Adapur, Dist- East Champaran
3. Balister Mukhiya S/o Chandradeo Mukhiya R/o village- Harkatawa, ward no 12, PS- Adapur, Dist- East Champaran
4. Gajendra Mukhiya S/o Ramnath Mukhiya R/o village- Harkatawa, ward no 12, PS- Adapur, Dist- East Champaran
5. Subhash Mukhiya S/o Chandradeo Mukhiya R/o village- Harkatawa, ward no 12, PS- Adapur, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar, Advocate  
For the Opposite Party/s : Mr. Anish Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      25-03-2026                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners are apprehending arrest in connection with Adapur P.S. Case No. 332 of 2025, dated 10.09.2025, lodged under Sections 115(2), 126(2), 118(1), 109, 329(3), 324, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 11 named accused persons, including the present petitioner,



alleging that the accused persons brutally assaulted the informant and his brothers with iron rods, bamboo sticks, *farsa*, and *lathis*, resulting in injuries to his brothers. It is also alleged that they demolished the informant's tractor.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that the criminal antecedents of petitioner Nos. 1, 3, and 4 are not clean, as there is one criminal case pending against them, whereas petitioner Nos. 2 and 5 have clean criminal antecedents. Counsel further submits that there are no specific allegations against petitioner Nos. 2, 4, and 5, and the allegations made are general and omnibus in nature. He further submits that there is a delay of three days in lodging the FIR, as the date of occurrence is 07.09.2025, whereas the FIR was lodged on 10.09.2025. Counsel also submits that both the petitioners and the informant's side are co-villagers.

5. Learned APP for the State opposes the petitioners' prayer for bail and submits that there are specific allegations against petitioner Nos. 1 and 3 that they brutally assaulted the informant and his brothers, resulting in injuries.

6. As such, in the present facts and circumstances of this case, let the petitioner Nos. 2, 4, & 5, namely, Bipin



Kumar, Gajendra Mukhiya & Subhash Mukhiya be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) each, as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate, First Class, Raxaul, Motihari, District- East Champaran, in connection with Adapur P.S. Case No. 332 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as the bail application of the petitioner Nos. 1 & 3, namely, MATAR MUKHIYA and Balister Mukhiya are concerned, their bail applications are hereby rejected, with a liberty that in case, the petitioner Nos. 1 & 3 surrender within four weeks before the Trial Court, then the Trial Court is directed to pass order on their surrender-cum-bail applications on the same day without being prejudice that the anticipatory bail of the petitioner Nos. 1 & 3 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

8. It is further directed that the Trial Court shall verify the criminal antecedents of the petitioner Nos. 2, 4, & 5, and in case it is found at any stage that the petitioner Nos. 2, 4, & 5 has concealed their criminal antecedents, the Trial Court shall take



steps for cancellation of the bail bonds of petitioner Nos. 2, 4, and 5. However, the acceptance of the bail bond in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

**(Dr. Anshuman, J.)**

Aman Kumar/-

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