

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15909 of 2026

Arising Out of PS. Case No.-33 Year-2020 Thana- BHIMPUR District- Supaul

Om Prakash Mukhiya S/O Late Tetar Mukhiya Resident of village -
Jeebachpur, Police Station - Bhimpur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Bhimpur P.S. Case No. 33 of 2020 lodged on 30.05.2020, for the offence punishable under Sections 147, 148, 149, 448, 341, 323, 325, 324, 307, 354(B), 380 & 504 of the Indian Penal Code, pending in the Court of Judicial Magistrate 1st Class, Supaul.

3. As per the prosecution, FIR has been lodged against 25 named accused persons including the present petitioner and 8-10 unknown persons alleging that they were trying to occupy the residential house of the informant and when the informant objected against the conduct of the accused persons, then all the accused persons caught hold the informant and assaulted her by



kick and fist and also dragged her. From the said assault, the clothes of the informant were also torn. The petitioner along with other accused persons also assaulted the informant and her family members, due to which injury has been caused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that both parties are co-villagers and there is admitted land dispute between them. Counsel submits that there are case and counter case from both the sides and both the sides have sustained injuries. Counsel further submits that the criminal antecedent of the petitioner is not clean, as there are two cases pending against him and in both the cases, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are two cases pending against him and as per the FIR, there is specific allegation also against the present petitioner and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

7. Liberty is hereby granted to the petitioner that if, he



surrenders before the concerned Trial Court within a period of 4 weeks from today, then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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