

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28037 of 2026

Arising Out of PS. Case No.-339 Year-2025 Thana- JOGAPATTI District- West Champaran

1. Rajesh Mukhiya S/O Late Yugul Mukhiya R/O Nankar Ward No. 15 P.S.- Yogapatti, District - West champaran
2. Geeta Devi W/O Rampravesh Mukhiya R/O Nankar Ward No. 15 P.S. Yogapatti, District- West champaran
3. Kanhaiya Mukhiya S/O Ratan Mukhiya R/O Vill.- Fuliyaakhad@ Phuliyaakhad, Samadhwa, P.S- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-05-2026 Heard the parties.

2.The petitioners are named in the F.I.R. and apprehending their arrest in connection with Yogapatti P.S. Case No. 339 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 76, 351(2), 352, 303(2), 109(1), 3(5) of BNS.

3. As per FIR petitioners alleged to assault informant and other causing head and bodily injury, where it is alleged that assault was made with an intention to cause death. The occurrence alleged to be taken place out of land



dispute.

4. It is submitted by learned counsel appearing on behalf of the petitioners that occurrence took place in the background of the land dispute where both parties received injuries and it was infact free fight but fairly conceded that no counter case was lodged by the petitioner side for the occurrence. It is submitted that the nature of injury out of alleged assault made by petitioner to informant upon medical examination found simple in nature whereas the allegation to assault the son of the informant namely, Kameshwar Kumar is appearing very much general and omnibus against these petitioners. It is submitted that said Kameshwar Kumar received one grievous injury i.e., fracture of the base of 4th metacarpal bone of finger. It is pointed out that with aforesaid injuries and manner of assault it can be safely said that that the petitioners were not under intention to cause death of the injured/ informant. Explaining criminal antecedent, it is submitted that petitioner nos. 2 and 3 are men of clean antecedents and petitioner no. 1 found involved in one more criminal case where he is on bail.



5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that petitioners were actively involved during the occurrence causing head and bodily injuries. It is pointed out by learned counsel for the informant that as per the impugned order the petitioner no. 2 and 3 also found involved in one more criminal case but same has not been mentioned in para no. 3 of the bail petition.

6. In view of aforesaid factual submission and by taking note of overall nature of accusation and also the nature of injuries, all above-named three petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Bettiah, West Champaran /concerned Court, where the case is pending in connection with Yogapatti P.S. Case No. 339 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS, with further condition:-



(I) Learned trial court must verify the criminal antecedent of petitioner no. 2 and 3 and if they are found involved in any criminal case contrary to the averment as made in para no 3 of the bail petition, their bail bond shall not be accepted. In any case aforesaid verification be done within one week from the date of receiving of this order.

(Chandra Shekhar Jha, J)

Sudha/-

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

