

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33535 of 2026

Arising Out of PS. Case No.-625 Year-2025 Thana- BANJARIA District- East Champaran

1. Nimod Kumar @ Nimod Mukhiya S/o Ram Prasad Mukhiya Resident of Village - Ajagari Khichariya Tola, P.S. - Banjariya, Dist. - East Champaran.
2. Sanoj Kumar @ Sanoj Mukhiya S/o Ram Prasad Mukhiya Resident of Village - Ajagari Khichariya Tola, P.S. - Banjariya, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Mr. Sharad Kumar Verma, Advocate Mr. Sagar Kumar, Advocate Mr. Hemant Kumar, Advocate Ms. Harsha Shashwat, Advocate
For the Opposite Party/s	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State through Virtual Mode.

2. The petitioners apprehend their arrest in connection with Banjariya P.S. Case No. 625 of 2025 dated 11.12.2025 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 74, 303(2), 352 and 351(2) of the B.N.S.

3. As per the prosecution case, the informant has alleged that the petitioners along with others came with lathi and farsha. It has been alleged that the co-accused Ram Prasad Mukhiya assaulted the informant with fatta on her head with an



intention to kill, while Vinod Mukhiya assaulted the informant with the edge of lathi below her eyes resulting in injury. It has further been alleged that all the accused persons including the petitioners dragged the informant on the ground and disrobed her.

4. The learned counsel for the petitioners submits that the petitioners have been implicated falsely in the present case with general and omnibus allegations of dragging the informant on the ground and tearing her clothes. It has further been submitted that specific allegation has been levelled against Ram Prasad Mukhiya and Vinod Mukhiya who are said to have assaulted the informant. It has further been submitted that for the same incident, one counter case was lodged on behalf of the petitioners' side and later the parties have also compromised in view of the fact that the incident had occurred on account of a dispute with regard to a pathway. It has further been submitted that petitioner no. 1 has two criminal cases against his name in which he is on bail while the petitioner no. 2 has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the



case, the petitioners, above named, are directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bonds of Rs. 10,000/-(Rupees Ten Thousand)each 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 Banjariya P.S. Case No. 625 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedents of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal



antecedents, the trial court shall take necessary steps for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Gautam/Anjali

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

