

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41009 of 2026

Arising Out of PS. Case No.-385 Year-2025 Thana- NAUTAN District- West Champaran

1. Jokhu Mukhiya, S/o Late Mohan Mukhiya
2. Bishwakarma Mukhiya @ Bishwakarma Kumar @ Bishwakama Kumar, S/o Jokhu Mukhiya
Both are resident of Village-Laxmipur Ward No.- 4, Police Station-Nautan, District-West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR

and apprehending their arrest in connection with Nautan P.S.

Case No.385 of 2025 registered under Sections 126(2),
115(2), 109, 303(2), 351(2), 352 read with 3(5) of the
Bhartiya Nyaya Sanhita, 2023 (in short 'BNS').

3. As per FIR, the petitioners along with co-
accused persons were assaulted the informant and others
causing head and bodily injuries, having intention to cause
death of informant/injured, where occurrence arising out of



neighbourhood dispute and differences.

4. It is submitted by learned counsel appearing for the petitioners that the specific allegation as to cause head injury is available against one of the co-accused namely, Ram Jee Mukhiya. It is submitted that the nature of allegation against the petitioners is appearing very much general and omnibus and moreover same also not appears that they have indulged in assault process to informant/other injured persons. It is submitted that the nature of injuries even as alleged to be caused by co-accused Ramjee Mukhiya, who is not the petitioner for the present, upon medical examination, found simple in nature. Both petitioners claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as *prima facie* allegation of physical assault is not available against these petitioners rather same is specifically available against co-accused Ramjeet Mukhiya, who is not the petitioner for the present, accordingly, both above-named petitioners, in the event of their arrest or



surrender in the court below within a period of four weeks,
are directed to be released on bail, on 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
S.D.J.M., Bettiah, West Champaran in connection with
Nautan P.S. Case No.385 of 2025, subject to the conditions
as laid down under Section 438(2) of the CrPC/under
Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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