

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44184 of 2026

Arising Out of PS. Case No.-169 Year-2020 Thana- BASOPATTI District- Madhubani

1. Sanjay Mukhiya Son of Rajdev Mukhiya Resident of village-Simradhi, P.S-Basopatti, District-Madhubani.
2. Kurdeep Mukhiya @ Kuldeep Mukhiya Son of Niras Mukhiya Resident of village-Simradhi, P.S-Basopatti, District-Madhubani.
3. Ramdat Mukhiya Son of Jamun Mukhiya Resident of village-Simradhi, P.S-Basopatti, District-Madhubani.
4. Ajeet Mukhiya @ Jit Mukhiya Son of Nathuni Mukhiya @ Vanshi Mukhiya Resident of village-Simradhi, P.S-Basopatti, District-Madhubani.
5. Raushan Mukhiya @ Pramod Mukhiya Son of Bindu Mukhiya Resident of village-Simradhi, P.S-Basopatti, District-Madhubani.
6. Sanjeet Mukhiya Son of Nathuni Mukhiya @ Vanshi Mukhiya Resident of village-Simradhi, P.S-Basopatti, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Mr.Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-07-2026 1. Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 324, 307, 354(B), 379, 504, 506 and 34 of the IPC.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that he along with his mother and sister on 24.07.2020 had gone to work in the field of Lakhi Pandit, further when his mother and sister after drinking water were coming back to the field, when five named accused persons including petitioner No. 1 came and



forcibly took his mother and both cousin sisters in a hut, but they raised alarm, hence informant along with Lakhi Pandit came and saw his mother and sister unveiled, thus he pleaded with the accused persons to leave them, but Vikash said not to talk to him rather kill him, thereafter, Kishor assaulted him by knife causing injury on head, further on alarm raised by Lakhi Pandit his villagers gathered while accused also called their family members and villagers and both side assaulted each other and Ramlal put the hut on fire.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the same is in two parts and the informant initially alleges that petitioner No.1 along with four named accused persons forcibly took his mother and two sisters in a hut with an intent to commit rape and thereafter on instigation of Vikash assaulted the informant by knife causing injury on head, but the petitioner Nos. 2,3,4,5 and 6 herein had not accompanied petitioner No. 1 in the first part, it is further submitted that as far as petitioners are concerned, the allegation against them are general and omnibus in nature, it is also submitted that it is not the case of the informant that petitioner No. 1 assaulted him by knife causing injury on head



in presence of the present petitioners.

5. Learned A.P.P. for the State submits that there is a specific allegation of assaulting the informant by knife on head by petitioner No.1, but then fairly submits that petitioner Nos. 2,3,4,5 and 6 had not accompanied petitioner No. 1 when they had forcibly taken the mother and sisters of the informant in a hut.

6. After hearing learned counsel for the parties the **petitioner Nos. 2,3,4, 5 and 6, above-named**, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail 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 trial court where the case is pending/successor court in connection with Basopatti P.S. Case No. 169 of 2020 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner No. 1.

(Satyavrat Verma, J)

Nitesh/-

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