IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49667 of 2026

CNR No. BRHC010676322026

Arising Out of PS. Case No.-118 Year-2026 Thana- PANDAUL District- Madhubani

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1. Umesh Mukhiya S/o Ramu Mukhiya R/o vill - Dabhari, P.S - Pandaul, District - Madhubani
2. Ganesh Mukhiya S/o Brihaspati Mukhiya R/o vill - Raiyam, P.S.- Bhairab Asthan, Distt.- Madhubani
3. Bikau Mukhiya @ Sahani S/o Late Ramroop Mukhiya R/o vill - Pandaul Bara Asthan, ward no. 9, P.S.- Pandaul, Distt.- Madhubani
4. Pramila Devi W/o Bikau Mukhiya R/o vill - Pandaul Bara Asthan, ward no. 9, P.S.- Pandaul, Distt.- Madhubani
5. Gulabiya Devi W/o Mahadev Mukhiya R/o vill - Pandaul Bara Asthan, ward no. 9, P.S.- Pandaul, Distt.- Madhubani
6. Ritu Kumari D/o Ganeshji Mukhiya R/o vill - Pandaul Bara Asthan, ward no. 9, P.S.- Pandaul, Distt.- Madhubani
7. Devendra Kumar @ Devindra Kumar S/o Sarwan Mukhiya R/o vill - Pandaul Bara Asthan, ward no. 9, P.S.- Pandaul, Distt.- Madhubani
8. Vinay Mukhiyia @ Vijay Mukhiya S/o Late Chanchal Mukhya R/o vill - Mani Balha, P.S.- Kewati, Distt.- Darbhanga
9. Ram Narayan Mukhiya S/o Shivji Mukhiya R/o vill - Dumri, P.S.- Rahika, Distt.- Madhubani
10. Somni Devi W/o Vijay Mukhiya R/o vill - Mani Balha, P.S.- Kewati, Distt.- Darbhanga
11. Shambhu Kumar S/o Ram Narayan Mukhiya R/o vill - Dumri, P.s.- Rahika, Distt.- Madhubani
12. Amerika Devi W/o Ganeshji Mukhhiya R/o vill - Pandaul, Bara Asthan, ward no. 9, P.S.- Pandaul, Distt.- Madhubani
13. Sita Devi W/o Awau Mukhiya @ Sarwan Mukhiya R/o vill - Pandaul, Bara Asthan, ward no. 9, P.S.- Pandaul, Distt.- Madhubani

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ashok Kumar Alias Ashok Karn
For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

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5 23-11-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending thier arrest in connection with Pandaul P.S. Case No. 118 of 2026, F.I.R dated 18.04.2026 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109(1), 329(3), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, while the informant, along with her family members, was at her house, the named accused persons and some unknown persons arrived there, abused them and assaulted various family members with *Gandasa*, *Dabiya*, *lathi* and *danda*. It is alleged that Ganeshji Mukhiya assaulted the informant's father-in-law on the head with a *Gandasa*, while Shrawan Mukhiya assaulted her mother-in-law with a *Dabiya*. Amerik Devi sprinkled hot oil on the family members and assaulted them with a *Jhanjh*, causing injuries to the informant's nephew and son. The other accused persons allegedly assaulted the informant's husband, daughter and elder brother-in-law with *lathi* and *danda*, causing injuries to them.

4. Learned counsel for the petitioners, by referring to the allegations made in the First Information Report, submits

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that there is a case and counter case and both the sides have sustained injuries. While, it is the specific case of the petitioners that the injuries found to be grievous in nature are attributable to Sarwan Mukhiya, whose prayer for anticipatory bail has been rejected, whereas another co-accused, namely, Ganeshji Mukhiya, having similar allegations, has been extended the privilege of anticipatory bail. It has further been submitted that the parties are agnates and the petitioners undertake not to commit any such offence in future. Lastly, learned counsel for the petitioners submits that out of the thirteen petitioners, petitioner Nos. 5, 7, 8, 12 and 13 have one criminal antecedent each, in which they are all on bail.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances, and taking into account the fact that the injuries found to be grievous in nature are attributable to Sarwan Mukhiya, whose prayer for anticipatory bail has been rejected, while other co-accused namely Ganeshji Mukhiya, for the similar allegations has already been extended the privilege of anticipatory bail, as well as the fact that the petitioners undertake not to commit any such offence in future, this Court is inclined to grant the

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privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Madhubani in connection with aforementioned P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the

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evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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