

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79824 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- BITHAN District- Samastipur

Sunil Mukhiya, aged about-38 years, S/o Sakindra Mukhiya @ Sikandar Mukhiya R/o Village - Murli, P.s - Bithan, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 17-01-2026 Heard learned counsel for the petitioner, and
learned APP for the State.

2. Petitioner is in custody in a case registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109, 329(3), 352, 351(2) of the BNS.

3. As per the prosecution case, it is alleged that petitioner has hit a sword on the head of the informant's husband over a quarrel.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He next submits that petitioner and informant are *pattidar* and name of the petitioner has been transpired in this case due to land dispute going on between the parties. He further submits



that petitioner is in custody since 30.07.2025 and has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he had hit sword on the head of the informant's husband due to which he sustained grievous injuries.

6. On perusal of the First Information Report, case diary along with injury report and impugned order dated 24.09.2025, it appears that there is direct and specific allegation against the petitioner that he had hit a sword on the head of the informant's husband due to which he got grievous injury on his face as 'Incised wound on left side of face caused by sharp edge weapon.' It also appears that all the witnesses have supported the prosecution case. So, considering all facts and circumstances of the case and submission of learned counsel of both the parties, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

8. However, the petitioner will be at liberty to renew his prayer for bail after completion of one year of custody before the learned Trial Court and learned Trial Court may



consider the prayer for bail of the petitioner without being
prejudice by this order.

(Ramesh Chand Malviya, J)

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