

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90142 of 2025

Arising Out of PS. Case No.-174 Year-2025 Thana- DARPA District- East Champaran

1. Jitendra Mukhiya S/O Poondev Mukhiya @ Pundeo Mukhiya R/O Vill.- Tinkoni, P.s.- Darpa, District- East Champarn
2. Sabita Devi W/O Jitendra Mukhiya R/O Vill.- Tinkoni, P.s.- Darpa, District- East Champarn
3. Sikandra Mukhiya@ Sikandar Mukhiya S/O Poondev Mukhiya @ Pundeo Mukhiya R/O Vill.- Tinkoni, P.s.- Darpa, District- East Champarn

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Darpa P.S. Case no.174 of 2025 registered under sections 137(2), 96 and 3(5) of B.N.S, 2023.

3. Allegations in the F.I.R is that daughter of the informant was kidnapped by one Pradeep Kumar and others and when the informant inquired about the same, the family members of the said Pradeep Kumar indulged in abuse and assault.

4. Learned counsel for the petitioners submits that



from a reading of the F.I.R it would be apparent that thrust of the allegations is against co-accused Pradeep Kumar and the allegations against these petitioners is confined to indulging in abuse and assault upon inquiry being made from them with regard to whereabouts of Pradeep Kumar and daughter of the informant. The petitioners have been made an accused only on vague belief that they also have a complicity in the kidnapping of his daughter. There is delay of 7 days in lodging of the F.I.R. The petitioners have no criminal antecedent and undertake to co-operate in investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and considering that there is inordinate delay of 7 days in lodging of F.I.R coupled with the fact that petitioners have been made accused in the present case with general and omnibus allegations on the basis of suspicion being family members of co-accused Pradeep Kumar, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Darpa P.S. Case no.174 of 2025 on each of



them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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