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Santosh Kumar Pandey, D&ASJ – II, Darbhanga
BP No. 504/2026
(Arising out of Manigachhi P. S. Case No. 104/2026)
Rajesh Mukhiya versus the State of Bihar.
Date of Order – 19.06.2026

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II, DARBHANGA
Bail Petition No. 504/2026

Rajesh Mukhiya s/o Laxman Mukhiya, resident of Village - Lahata, P.S. - Manigachhi,
District - Darbhanga ----- Petitioner

versus

State of Bihar

----- Opposite Party

Appearance(s):

Counsel for the Petitioner(s) : Sri S. S. Sahni, Learned Advocate.

Counsel for the State : Sri A. N. Jha, Learned Public Prosecutor.

ORDER
19.06.2026

1. The present application has been filed on behalf of the petitioner seeking regular bail in connection with Manigachhi P.S. Case No. 104 of 2026 registered for offences punishable under Sections 351(1), 352, 115(2), 126(2), 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023. The petitioner is in judicial custody since **10.05.2026**.
2. The prosecution case, as emerging from the fard-beyan forming the basis of the First Information Report, is that on 25.04.2026 a scuffle took place between the Informant and one Ankush Jha, during which the latter allegedly threatened to kill the Informant. It is further alleged that on 06.05.2026 at about 05:00 P.M., near Tokna Pond, several accused persons, including the present petitioner, surrounded the Informant and started abusing him. When the Informant protested, accused Sagar Jha allegedly ordered that he be killed. Thereafter, all the accused persons allegedly caught hold of the Informant and co-accused Ankush Jha took out a dagger and inflicted a blow which remained embedded in the body of the Informant. Upon raising alarm, local villagers arrived at the spot and the accused persons fled away. The dagger was subsequently removed during a surgical procedure at Darbhanga Medical College and Hospital (DMCH), Darbhanga. On the basis of these allegations, the present case came to be instituted against eleven named accused persons including the petitioner.
3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. It has been argued that the petitioner has no criminal antecedent and that no specific overt act

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causing injury has been attributed to him. Learned counsel further submitted that the allegation of inflicting the dagger blow is specifically and exclusively attributed to co-accused Ankush Jha. It is contended that the petitioner has remained in custody since 10.05.2026 and further detention would serve no useful purpose. It is also submitted that the trial is likely to take considerable time for its conclusion and, therefore, continued incarceration of the petitioner would be unjustified.

4. Per contra, learned Public Prosecutor opposed the prayer for bail and submitted that the petitioner is a named accused person and is alleged to have actively participated in the occurrence. It has been contended that considering the seriousness of the allegations, the petitioner does not deserve the privilege of bail.
5. I have heard the learned counsel for the parties and carefully examined the materials available on record, including the case diary. Upon perusal of the FIR and the materials available in the case diary, it appears that the petitioner is a named accused and allegations have been levelled regarding his participation in the occurrence. The injury report of the Informant, namely Raushan Kumar, reveals that he sustained a stab injury over the back of the left shoulder measuring approximately 3 cm × 1 cm × 6 cm above the medial aspect of the left scapula. The medical evidence prima facie corroborates the allegation that a sharp-edged weapon was used during the occurrence. The case diary further indicates that the dagger allegedly used in the occurrence had to be surgically removed at DMCH, Darbhanga.
6. At the same time, it is noteworthy that the specific allegation of inflicting the dagger blow is attributed to co-accused Ankush Jha and not to the present petitioner. No distinct overt act of causing injury has been assigned to the petitioner in the First Information Report. The role attributed to the petitioner is comparatively less specific in nature than that attributed to the principal assailant. It further appears from Paragraph No. 59 of the case diary that the petitioner has no criminal antecedent. The absence of criminal antecedents is a relevant factor indicating that the petitioner is not shown to be a habitual offender. There is also no material presently available on record to indicate that the petitioner is likely to

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evade the process of law, tamper with prosecution evidence, influence witnesses or otherwise obstruct the course of justice if enlarged on bail.

7. Having regard to the totality of the facts and circumstances of the case, particularly the absence of criminal antecedents, the period of custody already undergone by the petitioner, the absence of any specific allegation of inflicting the injury, and there being no material indicating a likelihood of absconding, tampering with evidence, influencing witnesses or otherwise misusing the privilege of bail, this Court is of the considered opinion that the petitioner has succeeded in making out a fit case for grant of regular bail.
8. Accordingly, the bail application stands **allowed**.
9. Let the petitioner, namely **Rajesh Mukhiya**, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned, subject to the conditions prescribed under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.
10. It is made clear that any observation made herein is confined solely to the adjudication of the present bail application and shall not prejudice the merits of the case during trial.

(Santosh Kumar Pandey)
Additional Sessions Judge-II
Darbhanga
19.06.2026

Date of Judgement/order	19.06.2026
Date of reserving judgement/order	19.06.2026
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