

Court of District and Addl. Sessions Judge, Biraul(Darbhang)

Present:- Sri Shiv Kumar,

Dist.&Addl. Sess. Judge, Biraul.

ABP No. 183/2026(Raj Narayan Mukhiya vs. State of Bihar)

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In the Court of District and Addl. Sessions Judge, Biraul, Darbhanga

ABP No. 183 of 2026

In the matter of :-

1. Raj Narayan Mukhiya, Son of Yogendra Mukhiya

.....Petitioners.

Vs.

2. The State of Bihar

.....Opposite Party.

For the petitioner:- Sri Ajay Kumar Jha, Ld. Advocate.

For the O.P.(State):- Sri Bachha Rai, Ld. APP.

Order

03.06.2026 The present anticipatory bail petition has been filed on behalf of abovenamed petitioner who is apprehending his arrest in connection with Kuseswar Asthan PS case No. 03 of 2026 for the offences u/s 126(2), 308(5), 351(3), 303(2), 3(5) of BNS, which is pending in the Court of Ld. SDJM, Biraul, Darbhanga.

Heard Sri Ajay Kumar Jha the Ld. Counsel for the petitioners and Sri Bachcha Rai Ld. Counsel for State.

The present case has been lodged on the basis of application of informant namely Mukesh Kumar Yadav. The case of the prosecution in brief is that on 05.01.2026 at around 7:30 AM Rakesh Yadav, Raj Narayan Mukhiya and two unknown persons surrounded informant at Baba Sri Dhala Pakahih near Kachra Bhawan. They have pointed pistol at informant and threatened him and demanded Rs. 50,000/-. Rakesh Yadav taken Rs. 15000/- from pocket of informant and gold chakati, Vivo mobile and clothes.

Ld. Counsel for the petitioner submits that the petitioner is quite innocent and he has not committed any offence. The petitioner has falsely been implicated in this false case. No such occurrence did ever take place as alleged in the FIR. There is no specific allegation of any overt act has been alleged against this petitioner. There is delay of five days. The petitioner is ready to abide by all the conditions as imposed by the court. Therefore the present petition may be allowed.

On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

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Upon considering the rival submissions and on perusal of the materials available on record this court finds the allegations leveled against this petitioner is grave in nature. Para 2 of the case diary mentions restatement of informant who have supported the case and mentioned involvement of petitioner. Para 6, 18, 19, 20 of the case diary mentions statement of witnesses who too have supported the case. Para 23 of the case diary mentions supervision note from perusal whereof it appears that supervising authority has found the case true against the petitioner. The investigation in this case is still going on and iota of evidence is yet to come. Considering the facts and circumstances of the in entirety this court does not feel inclined to grant anticipatory bail to the petitioner. Accordingly the prayer for anticipatory bail of the above-named petitioner is hereby **rejected.**

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraul

03.06.2026